

# Acts and Joint Resolutions

OF THE

## GENERAL ASSEMBLY

OF THE

# State of South Carolina

---

REGULAR SESSION OF 1963

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### **First Part**

**of Fifty-third Volume of Statutes at Large**

(The Acts and Joint Resolutions of 1964  
Will Constitute the Second Part)

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PRINTED UNDER DIRECTION OF  
LEWIE GRIFFITH MERRITT  
CODE COMMISSIONER



## NOTICE

The following acts were passed during the 1963 regular session of the General Assembly and are presently in the hands of the Governor :

(R619, H1871) An Act To Eliminate The Use Of The Tales Box In Anderson County.

(R620, H1873) An Act To Exempt Sumter County From The Provisions of Sections 43-244, 43-246 And 43-247 Of The 1962 Code, Relating To Bail In Magistrates' Courts In Charleston And Sumter Counties.

(R672, H1943) An Act To Provide For The Investigation Of Pupils In Lexington County Who Are Absent From School An Excessive Number Of Times And Institution Of Action Against Persons Responsible Therefor.

The following acts were passed during the 1963 regular session of the General Assembly and were vetoed by the Governor June 13, 1963 :

(R544, S446) An Act To Amend Section 65-226 Of The 1962 Code, As Amended, Exempting Certain Organizations From State Income Taxes, So As To So Exempt The York County Fair Association.

(R606, H1887) An Act To Increase The Number Of Petit Jurors, To Dispense With The Tales Box And To Provide For Supplying Deficiencies In The Number Of Petit Jurors In Laurens County.

The regular session adjourned *sine die* June 14, 1963.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,  
*Code Commissioner.*

Columbia, S. C.,  
September, 1963.



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661. AN ACT To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1962-63 From The General Fund Of The County; And To Validate Certain Disbursements, Expenditures And Actions Authorized By The Legislative Delegation.—P. 1473.
662. AN ACT To Amend An Act Of 1963 Bearing Ratification No. 79 Creating The Hilltop Sewer District In Spartanburg County, So As To Change The Name Of The District To The Hilltop Subsewer District And To Further Provide For Its Area And Powers.—P. 1476.
663. AN ACT To Amend Act No. 1242 Of 1962, Relating To The Issuance Of Bonds By Sumter County To Renovate And Enlarge Its Courthouse, So As To Increase The Amount Of Bonds Which May Be Issued.—P. 1484.
664. AN ACT To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1963; To Direct The

- Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.—P. 1485.
665. AN ACT To Validate An Election Held In Union County Hospital District On June 12, 1962. Pursuant To The Provisions Of Act No. 1252 Of The Acts Of 1962, Relating To The Issuance Of Not Exceeding Five Hundred Thousand Dollars Of Bonds By The Union Hospital District Board Of Trustees.—P. 1496.
666. AN ACT To Authorize Union County To Borrow From The Division Of Sinking Funds And Property Of The State The Sum Of Thirty-seven Thousand Dollars For Use In Union County By The Conservation District Of Which Union County Is A Part, And To Provide For The Payment Thereof.—P. 1497.
667. AN ACT To Authorize The County Board Of Education Of Union County To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The School District Of Union County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.—P. 1497.
668. AN ACT To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.—P. 1500.
669. AN ACT To Validate The Sale Of Certain Property In Williamsburg County And To Provide For The Disposition Of The Proceeds Thereof.—P. 1517.
670. AN ACT To Authorize The Board Of Commissioners Of Williamsburg County To Convey Certain County Property.—P. 1518.
671. AN ACT To Authorize The County Board Of Commissioners Of Williamsburg County To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Williamsburg County To Provide Funds To Provide Public Hospital Facilities For Williamsburg County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended, And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.—P. 1519.
672. AN ACT To Authorize The County Board Of Commissioners Of Williamsburg County To Convey Certain County Property.—P. 1523.
673. AN ACT To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.—P. 1524.
674. AN ACT To Make Supplemental Appropriations For The Fiscal Year 1962-1963 From The General Fund Of Williamsburg County.—P. 1531.
675. AN ACT To Amend Act No. 544 Of The Acts Of 1959 As Amended, Authorizing The Continuance Of The Special One Mill Levy In York County So As To Authorize The Governing Body Of York County To Borrow Certain Money And Provide That The Levy Shall Be Used To Retire Such Loan.—P. 1532.
676. AN ACT To Authorize The Town Of York To Convey To York County And To The York Township Library Commission Portions Of The Property Known As The War Memorial Property.—P. 1533.
677. AN ACT Making Supplemental Appropriations For York County For The Fiscal Year 1962-1963.—P. 1534.

678. AN ACT To Authorize The County Board Of Directors Of York County To Issue And Sell Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of York County To Provide Funds For The Construction Of A Technical Training School; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.—P. 1535.
679. AN ACT To Provide An Appropriation By The Sinking Fund Commission Of York County For A County Health Center In The Town Of York.—P. 1538.
680. AN ACT To Authorize The Treasurer Of York County To Transfer Certain County Funds.—P. 1538.
681. AN ACT To Change The Name Of The York County Hospital For The County Of York To York General Hospital At Rock Hill.—P. 1539.
682. AN ACT To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.—P. 1539.
683. AN ACT To Make An Appropriation For The Criminal, Juvenile And Domestic Relations Court Of York County.—P. 1553.



## RATIFICATION NUMBERS

### With Act Numbers Assigned

| Ratification No. | Act No. | Ratification No. | Act No.    |
|------------------|---------|------------------|------------|
| (1962)           |         | 53               | 651        |
| 1203             | 1       | 54               | 523        |
| (1963)           |         | 55               | 31         |
| 1                | 2       | <b>56</b>        | <b>434</b> |
| 2                | 454     | 57               | 487        |
| 3                | 3       | 58               | 456        |
| 4                | 4       | 59               | 32         |
| 5                | 586     | 60               | 33         |
| 6                | 5       | 61               | 550        |
| 7                | 6       | 62               | 493        |
| 8                | 7       | 63               | 424        |
| 9                | 8       | 64               | 470        |
| 10               | 9       | <b>65</b>        | <b>421</b> |
| 11               | 665     | 66               | 519        |
| 12               | 10      | <b>67</b>        | <b>34</b>  |
| 13               | 11      | 68               | 497        |
| 14               | 12      | 69               | 35         |
| 15               | 13      | 70               | 36         |
| 16               | 599     | 71               | 37         |
| 17               | 620     | 72               | 482        |
| 18               | 14      | 73               | 573        |
| 19               | 621     | 74               | 578        |
| 20               | 537     | 75               | 476        |
| 21               | 675     | 76               | 498        |
| 22               | 615     | 77               | 38         |
| 23               | 15      | 78               | 39         |
| 24               | 446     | <b>79</b>        | <b>652</b> |
| 25               | 666     | 80               | 40         |
| 26               | 517     | 81               | 41         |
| 27               | 16      | 82               | 504        |
| 28               | 17      | 83               | 494        |
| 29               | 669     | 84               | 505        |
| 30               | 18      | 85               | 579        |
| 31               | 19      | 86               | 42         |
| 32               | 20      | 87               | 43         |
| 33               | 21      | 88               | 44         |
| 34               | 22      | 89               | 45         |
| 35               | 23      | 90               | 46         |
| 36               | 572     | 91               | 589        |
| 37               | 24      | 92               | 590        |
| 38               | 622     | 93               | 47         |
| 39               | 623     | 94               | 520        |
| 40               | 587     | 95               | 48         |
| 41               | 25      | 96               | 609        |
| 42               | 26      | 97               | 567        |
| 43               | 27      | 98               | 49         |
| 44               | 549     | 99               | 50         |
| 45               | 670     | 100              | 524        |
| 46               | 447     | 101              | 466        |
| 47               | 28      | 102              | 51         |
| 48               | 518     | 103              | 538        |
| 49               | 648     | 104              | 574        |
| 50               | 588     | 105              | 674        |
| 51               | 29      | 106              | 52         |
| 52               | 30      | 107              | 53         |

| Ratification No. | Act No. | Ratification No. | Act No. |
|------------------|---------|------------------|---------|
| 108              | 54      | 166              | 87      |
| 109              | 489     | 167              | 88      |
| 110              | 55      | 168              | 89      |
| 111              | 56      | 169              | 90      |
| 112              | 57      | 170              | 91      |
| 113              | 591     | 171              | 422     |
| 114              | 58      | 172              | 92      |
| 115              | 653     | 173              | 93      |
| 116              | 59      | 174              | 94      |
| 117              | 60      | 175              | 95      |
| 118              | 61      | 176              | 96      |
| 119              | 62      | 177              | 526     |
| 120              | 63      | 178              | 429     |
| 121              | 506     | 179              | 97      |
| 122              | 483     | 180              | 98      |
| 123              | 464     | 181              | 99      |
| 124              | 64      | 182              | 100     |
| 125              | 65      | 183              | 592     |
| 126              | 66      | 184              | 101     |
| 127              | 426     | 185              | 102     |
| 128              | 67      | 186              | 103     |
| 129              | 68      | 187              | 678     |
| 130              | 69      | 188              | 468     |
| 131              | 70      | 189              | 508     |
| 132              | 625     | 190              | 104     |
| 133              | 71      | 191              | 105     |
| 134              | 539     | 192              | 541     |
| 135              | 676     | 193              | 106     |
| 136              | 72      | 194              | 107     |
| 137              | 73      | 195              | 108     |
| 138              | 649     | 196              | 109     |
| 139              | 507     | 197              | 110     |
| 140              | 74      | 198              | 111     |
| 141              | 75      | 199              | 112     |
| 142              | 76      | 200              | 113     |
| 143              | 77      | 201              | 499     |
| 144              | 525     | 202              | 438     |
| 145              | 600     | 203              | 439     |
| 146              | 462     | 204              | 509     |
| 147              | 78      | 205              | 114     |
| 148              | 677     | 206              | 115     |
| 149              | 427     | 207              | 116     |
| 150              | 428     | 208              | 117     |
| 151              | 79      | 209              | 118     |
| 152              | 80      | 210              | 551     |
| 153              | 81      | 211              | 562     |
| 154              | 671     | 212              | 119     |
| 155              | 82      | 213              | 542     |
| 156              | 654     | 214              | 655     |
| 157              | 580     | 215              | 120     |
| 158              | 83      | 216              | 510     |
| 159              | 467     | 217              | 121     |
| 160              | 84      | 218              | 122     |
| 161              | 540     | 219              | 408     |
| 162              | 448     | 220              | 613     |
| 163              | 85      | 221              | 457     |
| 164              | 411     | 222              | 123     |
| 165              | 86      | 223              | 124     |

# RATIFICATION NUMBERS

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| Ratification No. | Act No. | Ratification No. | Act No. |
|------------------|---------|------------------|---------|
| 224              | 125     | 282              | 158     |
| 225              | 126     | 283              | 159     |
| 226              | 418     | 284              | 160     |
| 227              | 127     | 285              | 638     |
| 228              | 128     | 286              | 633     |
| 229              | 601     | 287              | 161     |
| 230              | 129     | 288              | 553     |
| 231              | 527     | 289              | 162     |
| 232              | 130     | 290              | 163     |
| 233              | 131     | 291              | 164     |
| 234              | 593     | 292              | 533     |
| 235              | 132     | 293              | 554     |
| 236              | 626     | 294              | 672     |
| 237              | 469     | 295              | 165     |
| 238              | 470     | 296              | 166     |
| 239              | 559     | 297              | 167     |
| 240              | 631     | 298              | 168     |
| 241              | 511     | 299              | 169     |
| 242              | 679     | 300              | 495     |
| 243              | 133     | 301              | 528     |
| 244              | 134     | 302              | 170     |
| 245              | 521     | 303              | 171     |
| 246              | 627     | 304              | 639     |
| 247              | 135     | 305              | 172     |
| 248              | 136     | 306              | 173     |
| 249              | 458     | 307              | 471     |
| 250              | 137     | 308              | 174     |
| 251              | 138     | 309              | 628     |
| 252              | 637     | 310              | 175     |
| 253              | 490     | 311              | 617     |
| 254              | 568     | 312              | 512     |
| 255              | 139     | 313              | 176     |
| 256              | 140     | 314              | 472     |
| 257              | 141     | 315              | 581     |
| 258              | 142     | 316              | 412     |
| 259              | 143     | 317              | 177     |
| 260              | 532     | 318              | 178     |
| 261              | 552     | 319              | 179     |
| 262              | 144     | 320              | 663     |
| 263              | 145     | 321              | 180     |
| 264              | 146     | 322              | 181     |
| 265              | 147     | 323              | 182     |
| 266              | 148     | 324              | 183     |
| 267              | 149     | 325              | 184     |
| 268              | 150     | 326              | 185     |
| 269              | 151     | 327              | 409     |
| 270              | 575     | 328              | 186     |
| 271              | 152     | 329              | 529     |
| 272              | 153     | 330              | 187     |
| 273              | 154     | 331              | 188     |
| 274              | 155     | 332              | 189     |
| 275              | 156     | 333              | 594     |
| 276              | 477     | 334              | 190     |
| 277              | 459     | 335              | 191     |
| 278              | 632     | 336              | 192     |
| 279              | 157     | 337              | 193     |
| 280              | 616     | 338              | 478     |
| 281              | 680     | 339              | 656     |

| Ratification No. | Act No. | Ratification No. | Act No. |
|------------------|---------|------------------|---------|
| 340              | 194     | 398              | 234     |
| 341              | 195     | 399              | 658     |
| 342              | 196     | 400              | 543     |
| 343              | 197     | 401              | 564     |
| 344              | 198     | 402              | 604     |
| 345              | 199     | 403              | 235     |
| 346              | 423     | 404              | 569     |
| 347              | 473     | 405              | 634     |
| 348              | 200     | 406              | 561     |
| 349              | 201     | 407              | 640     |
| 350              | 202     | 408              | 236     |
| 351              | 203     | 409              | 237     |
| 352              | 204     | 410              | 413     |
| 353              | 205     | 411              | 238     |
| 354              | 602     | 412              | 239     |
| 355              | 206     | 413              | 240     |
| 356              | 667     | 414              | 241     |
| 357              | 435     | 415              | 242     |
| 358              | 207     | 416              | 635     |
| 359              | 208     | 417              | 243     |
| 360              | 209     | 418              | 513     |
| 361              | 210     | 419              | 244     |
| 362              | 211     | 420              | 530     |
| 363              | 212     | 421              | 245     |
| 364              | 416     | 422              | 246     |
| 365              | 213     | 423              | 636     |
| 366              | 440     | 424              | 247     |
| 367              | 484     | 425              | 248     |
| 368              | 214     | 426              | 598     |
| 369              | 215     | 427              | 249     |
| 370              | 216     | 428              | 250     |
| 371              | 217     | 429              | 251     |
| 372              | 218     | 430              | 252     |
| 373              | 219     | 431              | 253     |
| 374              | 220     | 432              | 254     |
| 375              | 657     | 433              | 605     |
| 376              | 221     | 434              | 255     |
| 377              | 222     | 435              | 256     |
| 378              | 555     | 436              | 257     |
| 379              | 223     | 437              | 258     |
| 380              | 224     | 438              | 259     |
| 381              | 225     | 439              | 611     |
| 382              | 226     | 440              | 260     |
| 383              | 227     | 441              | 261     |
| 384              | 228     | 442              | 262     |
| 385              | 475     | 443              | 629     |
| 386              | 491     | 444              | 263     |
| 387              | 229     | 445              | 264     |
| 388              | 582     | 446              | 265     |
| 389              | 230     | 447              | 266     |
| 390              | 479     | 448              | 641     |
| 391              | 452     | 449              | 642     |
| 392              | 231     | 450              | 267     |
| 393              | 563     | 451              | 268     |
| 394              | 560     | 452              | 570     |
| 395              | 603     | 453              | 606     |
| 396              | 232     | 454              | 269     |
| 397              | 233     | 455              | 449     |

# RATIFICATION NUMBERS

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| Ratification No. | Act No. | Ratification No. | Act No. |
|------------------|---------|------------------|---------|
| 456              | 270     | 514              | 645     |
| 457              | 271     | 515              | 515     |
| 458              | 272     | 516              | 309     |
| 459              | 273     | 517              | 310     |
| 460              | 436     | 518              | 311     |
| 461              | 274     | 519              | 646     |
| 462              | 610     | 520              | 556     |
| 463              | 275     | 521              | 480     |
| 464              | 276     | 522              | 545     |
| 465              | 277     | 523              | 414     |
| 466              | 643     | 524              | 312     |
| 467              | 278     | 525              | 313     |
| 468              | 279     | 526              | 314     |
| 469              | 280     | 527              | 315     |
| 470              | 281     | 528              | 316     |
| 471              | 282     | 529              | 317     |
| 472              | 410     | 530              | 318     |
| 473              | 283     | 531              | 319     |
| 474              | 284     | 532              | 320     |
| 475              | 285     | 533              | 321     |
| 476              | 425     | 534              | 322     |
| 477              | 430     | 535              | 323     |
| 478              | 522     | 536              | 441     |
| 479              | 286     | 537              | 324     |
| 480              | 544     | 538              | 325     |
| 481              | 460     | 539              | 326     |
| 482              | 287     | 540              | 327     |
| 483              | 288     | 541              | 328     |
| 484              | 289     | 542              | 329     |
| 485              | 290     | 543              | 474     |
| 486              | 291     | 544              | Vetoed  |
| 487              | 292     | 545              | 330     |
| 488              | 293     | 546              | 681     |
| 489              | 294     | 547              | 442     |
| 490              | 500     | 548              | 443     |
| 491              | 295     | 549              | 331     |
| 492              | 296     | 550              | 332     |
| 493              | 297     | 551              | 333     |
| 494              | 298     | 552              | 501     |
| 495              | 299     | 553              | 334     |
| 496              | 300     | 554              | 335     |
| 497              | 301     | 555              | 336     |
| 498              | 302     | 556              | 337     |
| 499              | 303     | 557              | 338     |
| 500              | 304     | 558              | 339     |
| 501              | 305     | 559              | 340     |
| 502              | 668     | 560              | 341     |
| 503              | 531     | 561              | 450     |
| 504              | 306     | 562              | 419     |
| 505              | 650     | 563              | 342     |
| 506              | 307     | 564              | 583     |
| 507              | 673     | 565              | 343     |
| 508              | 534     | 566              | 344     |
| 509              | 308     | 567              | 345     |
| 510              | 644     | 568              | 346     |
| 511              | 659     | 569              | 417     |
| 512              | 535     | 570              | 347     |
| 513              | 536     | 571              | 415     |

| Ratification No. | Act No.              | Ratification No. | Act No.              |
|------------------|----------------------|------------------|----------------------|
| 572              | 348                  | 630              | 382                  |
| 573              | 349                  | 631              | 660                  |
| 574              | 350                  | 632              | 383                  |
| 575              | 351                  | 633              | 384                  |
| 576              | 352                  | 634              | 571                  |
| 577              | 488                  | 635              | 385                  |
| 578              | 353                  | 636              | 608                  |
| 579              | 664                  | 637              | 386                  |
| 580              | 682                  | 638              | 433                  |
| 581              | 595                  | 639              | 387                  |
| 582              | 431                  | 640              | 388                  |
| 583              | 354                  | 641              | 389                  |
| 584              | 516                  | 642              | 390                  |
| 585              | 596                  | 643              | 391                  |
| 586              | 355                  | 644              | 445                  |
| 587              | 356                  | 645              | 392                  |
| 588              | 357                  | 646              | 465                  |
| 589              | 358                  | 647              | 463                  |
| 590              | 359                  | 648              | 619                  |
| 591              | 360                  | 649              | 492                  |
| 592              | 361                  | 650              | 393                  |
| 593              | 362                  | 651              | 584                  |
| 594              | 363                  | 652              | 547                  |
| 595              | 683                  | 653              | 485                  |
| 596              | 364                  | 654              | 394                  |
| 597              | 365                  | 655              | 395                  |
| 598              | 366                  | 656              | 514                  |
| 599              | 367                  | 657              | 396                  |
| 600              | 368                  | 658              | 397                  |
| 601              | 369                  | 659              | 398                  |
| 602              | 674                  | 660              | 455                  |
| 603              | 370                  | 661              | 399                  |
| 604              | 597                  | 662              | 661                  |
| 605              | 371                  | 663              | 444                  |
| 606              | Vetoed               | 664              | 461                  |
| 607              | 607                  | 665              | 481                  |
| 608              | 372                  | 666              | 400                  |
| 609              | 373                  | 667              | 503                  |
| 610              | 437                  | 668              | 557                  |
| 611              | 374                  | 669              | 548                  |
| 612              | 546                  | 670              | 662                  |
| 613              | 618                  | 671              | 451                  |
| 614              | 496                  | 672              | In hands of Governor |
| 615              | 375                  | 673              | 401                  |
| 616              | 376                  | 674              | 402                  |
| 617              | 614                  | 675              | 576                  |
| 618              | 565                  | 676              | 558                  |
| 619              | In hands of Governor | 677              | 486                  |
| 620              | In hands of Governor | 678              | 453                  |
| 621              | 502                  | 679              | 647                  |
| 622              | 432                  | 680              | 403                  |
| 623              | 566                  | 681              | 577                  |
| 624              | 630                  | 682              | 612                  |
| 625              | 377                  | 683              | 585                  |
| 626              | 378                  | 684              | 404                  |
| 627              | 379                  | 685              | 405                  |
| 628              | 380                  | 686              | 406                  |
| 629              | 381                  | 687              | 407                  |

ACTS  
AND  
JOINT RESOLUTIONS  
OF THE  
General Assembly  
OF THE  
State of South Carolina

---

DONALD RUSSELL, Governor; ROBERT E. MCNAIR, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

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Passed at the regular session, which was begun and held at the city of Columbia on the 8th day of January, A. D. 1963  
and was adjourned sine die on the 14th day of  
June, A. D., 1963

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PART I  
GENERAL AND PERMANENT LAWS

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(R1203, H2482 of 1962)

No. 1

An Act To Declare The Compilation, Collection And Revision  
Of The General Statute Law Of The State, As Reported By The  
Code Commissioner Pursuant To Section 5, Article VI, Of The

**Constitution Of South Carolina, 1895, The Code Of Laws Of South Carolina, 1962, The Only General Statutory Law Of The State.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 adopted.**—The Report of the Code Commissioner made to the General Assembly for the year 1961 pursuant to Section 5, Article VI, of the Constitution of South Carolina, 1895 with the addition of the general and permanent provisions enacted during 1961 and other additions and amendments, eliminations, corrections, general make-up and arrangement made thereto is hereby adopted as the Code of Laws of South Carolina, 1962 and this code is hereby declared to be the only general statutory law of the State on January 9, 1962.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of January, 1963.

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(R1, H1004)

**No. 2**

**An Act To Provide For A Board Of Trustees For Barnwell County School District No. 45 And Their Election By The Qualified Electors Of The District, And To Prescribe Their Terms Of Office.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Trustees of Barnwell School District 45—election—terms—vacancies.**—The Board of Trustees of the Barnwell County School District No. 45 shall consist of five members who shall be elected by the qualified electors of the school district for terms of three years, except that those trustees elected first, pursuant to the terms of this act, shall serve as follows: the terms of office of the two receiving the highest number of votes shall expire at noon on the first Wednesday following the second Tuesday in April, 1966; the terms of office of the two receiving the next highest number of votes shall expire at noon on the first Wednesday following the second Tuesday in April, 1965; and the term of office of the one receiving the lowest number of votes shall expire at noon on the first Wednesday following the second Tuesday in April, 1964. There-

after the terms of office of all members of the board of trustees shall begin at noon on the first Wednesday following the second Tuesday in April of the year in which elected. In case of death, resignation or removal from office of any trustee his successor shall be appointed by the county board of education for the unexpired portion of the term.

**SECTION 2. Conduct of election.**—The County Superintendent of Education of Barnwell County shall hold an election on the second Tuesday in April immediately following the effective date of this act, to elect the first board of trustees. Thereafter an election shall be held by the superintendent of education on the second Tuesday in April of any year in which a vacancy occurs. Each election shall be advertised in a newspaper of general circulation in the county once a week for two consecutive weeks prior to holding the election. The advertisement shall state the purpose of the election and that voting places shall be provided in all of the precincts of School District No. 45. All candidates shall file their names with the county superintendent of education at least ten days prior to the holding of the election. The county superintendent of education shall appoint box managers and other election officials as necessary for the proper conduct of the election, and he shall have a sufficient number of ballots printed and furnished to the election officials of each voting place in time for use at the opening of the polls. The ballots shall be counted in the same manner as other ballots are counted and the results shall be declared and published by the county board of education.

**SECTION 3. No run-off elections.**—No run-off election shall be held. The candidates receiving the highest number of votes cast during an election shall be deemed elected to the existing vacancy. In case of a tie the issue shall be determined by lot.

**SECTION 4. Election expenses.**—The expenses of the election shall be paid from the general funds of Barnwell County School District No. 45 upon vouchers signed by a majority of the members of the district board of trustees.

**SECTION 5. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of January, 1963.

(R3, H1014)

## No. 3

**An Act To Authorize The City Of Beaufort To Lease To Sinclair Refining Company For A Term Of Twenty Years Certain Waterfront Property South Of Bay Street, And To Authorize Sinclair Refining Company To Erect And Maintain On The Property A Marine Gasoline And Oil Filling And Service Station And Related Improvements For The Purpose Of Serving Marine Traffic.**

Whereas, the City of Beaufort is located on the Inland Waterway with deep water adjacent to the main thoroughfare and business district; and

Whereas, in an effort to attract business from the marine traffic moving through the Inland Waterway, the City of Beaufort desires to lease to Sinclair Refining Company, a Maine corporation duly authorized to transact business in the State of South Carolina, certain property located on the waterfront Southeasterly of the premises on Bay Street owned by the said Sinclair Refining Company, such lease to specify an annual rental of three hundred dollars and to be for a term of twenty years from the date Sinclair Refining Company completes, at its expense, a modern marina building, piers, dock and other improvements and facilities necessary for the operation and conduct of a marine gasoline and oil filling and service station; and

Whereas, by reason of the statutes now codified as Sections 47-1521 and 47-1522 of the 1962 Code, it is necessary that specific legislation be enacted to authorize the proposed lease for the purposes hereinabove stated. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. City of Beaufort may lease property to Sinclair Refining Co.**—Notwithstanding the provisions of Sections 47-1521 and 47-1522 of the 1962 Code, the City of Beaufort is authorized to lease to Sinclair Refining Company for a term of twenty years at an annual rental of three hundred dollars the following described property:

All that certain parcel of land, situate and being in the City of Beaufort, in the County of Beaufort, State of South Carolina, described as follows:

Commence at a iron pin at the intersection of Sinclair Refining Company's Westerly property line with the Bay Street South-

erly right-of-way line (being also the Northwest corner of Sinclair's property); thence with the Southerly right-of-way line of Bay Street N.  $52^{\circ} 14'$  West 74.5 feet to an iron pin set at the intersection of the Southerly right-of-way line of Bay Street with the Westerly edge of the sea wall line (extended); thence S.  $35^{\circ} 52'$  West, 310.3 feet to the intersection of the outside edge of the Westerly sea wall with the outside edge of the Southerly sea wall; thence continuing with the outside edge of the Southerly sea wall S.  $72^{\circ} 13'$  East 298.20 feet to the intersection of the outside edge of the Southerly sea wall with the Westerly edge of proposed stationary pier, BEING THE POINT OF BEGINNING; thence N.  $17^{\circ} 47'$  East 29.0 feet to a point; thence S.  $72^{\circ} 13'$  East 63.0 feet to a point; thence S.  $17^{\circ} 47'$  West 29.0 feet to a point on the outside edge of the Southerly sea wall; thence with the said sea wall N.  $72^{\circ} 13'$  West 63.0 feet to the point of beginning;

together with an eight-foot easement for fuel lines, described as follows:

Commence at an iron pin at the Northwest corner of Sinclair's property hereinabove referred to; thence with said Westerly property line S.  $37^{\circ} 46'$  West 80.0 feet to the Southwest corner of said Sinclair's property to an iron pin; thence with said Southerly property line S.  $52^{\circ} 14'$  East, 33.0 feet to a point forming the center line intersection of the easement herein granted, BEING THE POINT OF BEGINNING; thence along said center line extending 4' 0" on each side (at right angles) and parallel throughout its length S.  $18^{\circ} 14'$  East 226.04 feet to the stationary pier at the outside edge of sea wall;

together with a ten-foot easement for septic sewer system described as follows:

Beginning at a point in the Easterly line of the leased property hereinabove described and being N.  $17^{\circ} 47'$  East 12.0 feet more or less from the Southeast corner of said leased property; said beginning point being the center line intersection of septic sewer system easement herein granted with the Easterly line of said leased property; thence along said center line and extending 5' 0" on each side (at right angles) and parallel throughout its length S.  $72^{\circ} 13'$  East, a total distance of 88.0 feet.

**SECTION 2. Marine service station authorized.**—Notwithstanding the provisions of Sections 47-1521 and 47-1522 of the 1962 Code,

Sinclair Refining Company is authorized to erect and maintain, at its sole cost and expense, on the tract described in Section 1, a marine gasoline and oil filling and service station, piers, dock and other improvements and facilities necessary for the operation and conduct of a marine service station.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of January, 1963.

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(R4, S9)

**No. 4**

**An Act To Change The Terms Of Office Of School District Trustees In Colleton County To Four Years.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of school trustees in Colleton County.**—All future school district trustees in Colleton County shall be elected to terms of four years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R6, S53)

**No. 5**

**An Act To Amend Section 43-782 Of The 1962 Code Relating To The Criminal Jurisdiction Of Magistrates In Georgetown County, So As To Grant Countywide Criminal Jurisdiction To The Magistrate Of Townships Nos. 1 And 2 In Georgetown County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 43-782, 1962 Code, amended—criminal jurisdiction of magistrates in Georgetown County.**—Section 43-782 of the 1962 Code is amended by striking out beginning on line one the following: "The criminal jurisdiction of magistrates in Georgetown County is hereby limited to those criminal cases orig-

inating in the township of the magistrate concerned, subject to the right of change of venue as provided by law.” and inserting in lieu thereof the following: “Subject to the right of change of venue as provided by law, the criminal jurisdiction of magistrates in Georgetown County is hereby limited to those criminal cases originating in the township of the magistrate concerned, except that the magistrate for townships Nos. 1 and 2 shall have countywide criminal jurisdiction.” The section when amended shall read as follows:

“Section 43-782. Subject to the right of change of venue as provided by law, the criminal jurisdiction of magistrates in Georgetown County is hereby limited to those criminal cases originating in the township of the magistrate concerned, except that the magistrate for townships Nos. 1 and 2 shall have countywide criminal jurisdiction. In township No. 7, criminal jurisdiction shall be limited in that area north of Brookgreen Gardens to the magistrate at Murrell’s Inlet, and criminal jurisdiction in that area south of Brookgreen Gardens shall be limited to the magistrate at Pawley’s Island.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R7, S54)

## No. 6

**An Act To Amend Section 14-2034 Of The 1962 Code Relating To The Collection Of Fees In Advance In Georgetown County, So As To Require A Fee Deposit Upon Filing Of A Complaint.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-2034, 1962 Code, amended—Georgetown County—collection of fees in advance.**—Section 14-2034 of the 1962 Code is amended by striking the period at the end of line four and adding the following: “other than complaints. No complaint shall be accepted for filing unless there first be paid a fee deposit of five dollars, which shall be nonrefundable and applied to payment of costs subsequently incurred in prosecution of the action to judgment.” The section when amended shall read as follows:

“Section 14-2034. The fees provided for by law for the various services of such officers in each office, including, without limiting the

generality hereof, recording and other similar services, shall be collected in advance except fees for recording judgments and pleadings other than complaints. No complaint shall be accepted for filing unless there first be paid a fee deposit of five dollars, which shall be nonrefundable and applied to payment of costs subsequently incurred in prosecution of the action to judgment. But the clerk of court shall not enter up any judgment in any default case unless the costs of such case as taxed by him are paid in full. And the clerk shall not enter up judgment in any litigated cases unless the cost as taxed by him be either paid or secured by a bond approved by him. But when a judgment or decree provides for the sale of real estate by the clerk or sheriff, the clerk may enter up judgment without payment or security for cost."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R8, S55)

#### No. 7

**An Act To Increase The Number Of Petit Jurors Drawn In Georgetown County From Thirty-Six To Forty-Two.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Number of petit jurors to be drawn for Georgetown County.**—Notwithstanding the provisions of Item (1) of Section 38-61.1 of the 1962 Code the jury commissioners in Georgetown County shall draw forty-two petit jurors.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R9, H1050)

#### No. 8

**An Act To Amend Section 53-191.1 Of The 1962 Code, Relating To Location Of The Sheriff's Office In Laurens County So As To Add The Office Of Sheriff In Beaufort County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Location of sheriff's office in Laurens and Beaufort Counties.**—Section 53-191.1 of the 1962 Code, is amended by adding after the word "Laurens" on line 1, the words "and Beaufort", and by changing the word "county" to "counties" at the beginning of line 2, so that when amended, the section shall read as follows:

"Section 53-191.1. In Laurens and Beaufort Counties the sheriff's office need not be located at the county courthouse, but may be located at any other convenient place provided within the corporate limits of the county seat."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R10, H1051)

**No. 9**

**An Act To Amend Section 65-2555.3 Of The 1962 Code Relating To The Powers And Duties Of The Delinquent Tax Collector For Orangeburg County, So As To Make Further Provision Therefor, Including A Minimum Mileage Charge For Such Collections, And To Repeal Sections 65-3601 And 65-3602 Of The 1962 Code, Relating To The Powers And Duties Of The Sheriff Of Orangeburg County In Regard To The Collection Of Delinquent Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-2555.3, 1962 Code, amended—Orangeburg County Delinquent Tax Collector—duties and mileage.**—Section 65-2555.3 of the 1962 Code is amended to read as follows:

"Section 65-2555.3. The delinquent tax collector or any of his duly authorized deputies or agents may levy on, take possession of, advertise and sell property for taxes, make title thereto and deliver possession to the purchaser with all powers in the premises provided by law. The delinquent tax collector shall charge and collect mileage on each execution for each mile actually traveled by the most direct route from the courthouse to the residence of the defaulting taxpayer and back to the courthouse at the rate of five cents per mile,

but mileage shall only be charged and collected for one trip and there shall be a minimum mileage charge of one dollar.”

**SECTION 2. Sections 65-3601 and 65-3602, 1962 Code, repealed.**  
—Sections 65-3601 and 65-3602 of the 1962 Code are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R12, S14)

**No. 10**

**An Act To Ratify Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limits Of Bonded Indebtedness So As To Further Provide For The Bonded Indebtedness In Jasper County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Jasper County.**—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1962, as No. 1132, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following:

“PROVIDED, that the limitations as to bonded indebtedness imposed by this section shall not apply to Jasper County, and the county may incur bonded indebtedness to an amount not exceeding twenty per cent of the assessed value of all taxable property therein.”

Ratified the 29th day of January, 1963.

(R13, S40)

**No. 11**

**An Act To Amend Section 41-203, Code Of Laws Of South Carolina, 1962, Providing For Recovery Of Rents When Demises Are Not By Deeds, So As To Correct A Typographical Error.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 41-203, 1962 Code, amended—recovery of rents when demises are not by deeds.**—Section 41-203, Code of Laws of South Carolina, 1962, providing for recovery of rents when demises are not by deeds, is amended by striking out the word “unlawful” on line two and inserting in lieu thereof the word “lawful”, so that when so amended Section 41-203 shall read as follows:

“Section 41-203. It shall be lawful for any landlord, when the agreement is not by deed, to recover a reasonable satisfaction for the lands, tenements or hereditaments held or occupied by a tenant in an action for the use and occupation of what was so held or enjoyed. If, in evidence on the trial of such action, any parol demise or any agreement (not being by deed) whereon a certain rent was reserved shall appear the plaintiff in such action shall not therefor be nonsuited but may make use thereof as an evidence of the amount of the damages to be recovered.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R14, S57)

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**No. 12**

**An Act To Change The Terms Of Office Of The Mayor And Wardens Of The Town Of Cottageville In Colleton County From One To Two Years.**

Whereas, the Town Council of the Town of Cottageville in Colleton County by unanimous vote on January 10, 1963 resolved that the terms of office of the mayor and wardens be increased from one to two years beginning with the election of 1963. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of mayor and wardens for Town of Cottageville.**—Notwithstanding the provisions of Section 47-111 of

the 1962 Code, the terms of office of the Mayor and Wardens of the Town of Cottageville in Colleton County elected in the year 1963 and subsequently shall be for two years each.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

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(R15, H1017)

**No. 13**

**An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding A New Section To Be Designated As Section 14-2728, Which Shall Provide For Sales Of Real Property Not Devoted To Public Governmental Purpose And Use In Lexington County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Code of 1962 amended—Section 14-2728 added—Lexington County may sell certain property.**—The Code of Laws of South Carolina, 1962, is amended by adding a new section to be designated as Section 14-2728 which shall read as follows:

“Section 14-2728. All real property now owned or hereafter acquired by the county, except property devoted to a public governmental purpose and use, and property which has or may be acquired by tax sales, may be sold by the county board of commissioners, upon the approval of a majority of the Legislative Delegation, both as to price and terms, save that all future payments of a remainder, if any, of the purchase price must be secured by a purchase money mortgage to the county board of commissioners, Lexington County. In all such sales the deeds shall be signed by the chairman and the other members of the board of commissioners, and there shall be incorporated in all such deeds that the conveyance is of property not devoted to a public governmental purpose and use.”

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R18, H1044)

**No. 14****An Act To Exempt One Cow Per Family From Certain Taxes In Florence County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Cows exempt from taxation in Florence County.—**

In Florence County one milk cow per family shall be exempt from all local and county taxes, if the milk from such cow is used by the family.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

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(R23, H1091)

**No. 15****An Act To Amend Section 23-186 Of The 1962 Code, Relating To The Voting Precincts In McCormick County, So As To Eliminate Bell's Store.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 23-186, 1962 Code, amended—voting precincts in McCormick County.**—Section 23-186 of the 1962 Code is amended by striking on line 4 "Bell's store;". The section, when so amended, shall read as follows:

"Section 23-186. In McCormick County there shall be the following voting precincts: McCormick No. 1; McCormick No. 2; Mt. Carmel; Plum Branch; Talbert's store; Rehobeth; Willington; Clatworthy; Clarks Hill; Parksville; White Town; Bethany; Youngs; Bordeaux; and Modoc."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R27, S49)

## No. 16

**An Act To Require The Auditor Of Dillon County To Keep A Record Of Real Estate Transfers And To Report Such Transfers To The County Tax Assessor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Auditor of Dillon County to report real estate transfers.**—The Auditor of Dillon County shall keep an indexed ledger of real estate transfers according to districts and shall report in writing such transfers to the county tax assessor.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R28, S69)

## No. 17

**An Act To Amend Section 65-1523 Of The 1962 Code Exempting Certain Property From Taxation, So As To Exempt The Property Of Elliott White Springs Foundation, Inc. And Leroy Springs & Company, Inc. Used For Noncommercial Purposes In York County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (112) of Section 65-1523, 1962 Code, amended—certain property in York County exempt from taxation.**—Item (112) of Section 65-1523 of the 1962 Code is amended to read as follows:

“(112) All property, both real and personal, of the Elliott White Springs Foundation, Inc. and Leroy Springs & Company, Inc. in York County, shall be exempt from taxation so long as such property is used for the purposes for which these organizations were created, and is not used for any commercial purposes;”.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R30, S78)

## No. 18

**An Act To Amend Act 970 Of 1962, Relating To A Referendum In School District 52 In Greenwood County, To Determine Whether School Trustees Shall Be Elected Or Appointed, So As To Provide That If The Majority Of The Qualified Electors Desire To Elect Trustees And The Number Of Candidates Equal The Number Of Vacancies, Then The Candidates Shall Be Deemed Elected Without An Election Being Held.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act 970 of 1962 amended—Section 4.1 added—when election not necessary.**—Act 970 of 1962 is amended by adding new Section 4.1 which shall read as follows :

“Section 4.1. If the number of qualified candidates offering for election equals the number of existing vacancies, then the candidates shall be deemed elected without an election being held.”

**SECTION 2. Election not to be held — candidates declared elected.**—Since an election has already been ordered in School District No. 52 in Greenwood County, South Carolina, to fill two vacancies coming up in the year 1963, and only two candidates have qualified as provided by law, it is hereby declared that no election be held, and that said candidates so qualifying are hereby declared to be trustees to fill said vacancies for the terms provided by law.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R31, S50)

## No. 19

**An Act To Provide For The Issuance Of Construction Permits In Dillon County; To Prohibit Electrical Companies Or Other Utilities From Making Service Connections To A Building Constructed Without A Permit And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Building permits required in Dillon County.**—In Dillon County it shall be unlawful for any person to construct, alter,

or move any building which costs in excess of five hundred dollars without a permit issued by the tax assessor; *provided*, that no permit shall be required for the construction of a new building within any incorporated municipality which requires a permit for such construction.

**SECTION 2. Application for permit.**—The tax assessor shall prepare and furnish the application forms for permits, which shall show information to be of assistance to him in locating the real estate on which the construction is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction; (e) type of construction; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permit.**—The tax assessor shall issue the permit upon the applicant's paying a fee of five dollars which shall be retained by the issuing office. The permit shall be numbered and be made in triplicate; the original shall be filed with the tax assessor and one copy with the county auditor. The permit when issued shall be kept at the building or place where the construction is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish auditor with copies of permits.**—Every municipality in the county requiring permits for the erection or construction of any improvements upon real estate shall furnish to the tax assessor and auditor copies of all permits issued.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine not exceeding one hundred dollars nor less than twenty-five dollars or imprisonment not exceeding thirty nor less than ten days for each offense.

**SECTION 6. Electricity not to be furnished without building permits.**—It shall be unlawful for any public utility company or

rural electric cooperative to make any connection of electrical energy or other public utility service to a new building requiring a permit under this act unless such permit was acquired for the construction of the building. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection; *provided*, the provisions of this act shall not be applicable to any telephone company.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R32, S71)

**No. 20**

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To Bonded Indebtedness, So As To Further Provide For The Bonded Indebtedness Of Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of Dorchester County.**—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1962, as No. 1087, having been submitted to the qualified electors in the manner prescribed by Section I of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: "*Provided*, that the limitation as to bonded indebtedness imposed by this section shall not apply to Dorchester County and that Dorchester County may incur bonded indebtedness to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein. The bonded indebtedness of the county shall not be considered in determining the power to incur indebtedness by any municipality or political subdivision of the county or State, wholly covered or partially extending over the territory of such county."

Ratified the 5th day of February, 1963.

(R33, S79)

**No. 21****An Act To Provide That Organized Clubs May Obtain Permits To Train Rabbit Dogs For Field Trials In Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Permits to train rabbit dogs in Saluda County.—**

Any organized club in Saluda County may apply to the Director of the South Carolina Wildlife Resources Department, Division of Game, for a permit to train rabbit dogs for field trials during the closed season for rabbits. The application shall contain a description of the area in Saluda County in which such training is to be accomplished. The Division of Game may issue the permit for such area only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R34, S85)

**No. 22****An Act To Authorize The Town Of Edgefield To Furnish Fire Protection Beyond Its Corporate Limits.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Edgefield may furnish fire protection beyond its corporate limits.**—The Town of Edgefield may furnish fire protection beyond its corporate limits and may contract for the furnishing of such fire protection.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R35, S87)

**No. 23****An Act To Vest The General Powers And Duties Of Boards Of Commissioners Of Public Works Upon The Town Council Of The Town Of Elgin, In Kershaw County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Duties of commissioners of public works devolved upon town council of Town of Elgin.**—In the Town of Elgin (formerly known as the Town of Blaney), in Kershaw County, there shall be no Board of Commissioners of Public Works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of the Town of Elgin.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R37, S98)

#### No. 24

**An Act Providing That The Town Council Of The Town Of Bamberg May Delegate To The Commissioners Of Public Works Of The Town The Function Of Operating And Maintaining Any Natural Gas System Constructed By The Town.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Bamberg may delegate operation of natural gas system to commissioners of public works.**—The Town Council of the Town of Bamberg may delegate upon the Commissioners of Public Works of the Town of Bamberg the function of operating and maintaining any natural gas system constructed for the Town of Bamberg for such period of time as shall be fixed in any ordinance authorizing the issuance of bonds of the Town of Bamberg, payable in whole or in part from revenues derived from the operation of such natural gas system.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R41, H1116)

#### No. 25

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebted-**

**ness Of Certain Political Subdivisions, So As To Eliminate The Proviso Which Exempts School District No. 10 Of Cherokee County From Such Limitations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of School District 10 of Cherokee County.**—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1962, as No. 1061, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified so that there is deleted from among the provisos to Section 5 of Article X the following proviso :

*“Provided, further, that the limitations imposed by this section shall not apply to School District No. 10, Cherokee County, such school district being hereby expressly authorized to vote bonds to an amount not exceeding \$300,000.00, the proceeds of such bonds to be applied solely for school purposes in said district, under such restrictions and limitations as the General Assembly may prescribe, and where the question of incurring such indebtedness is submitted to the qualified electors of said school district, as provided in the Constitution upon the question of bonded indebtedness.”*

Ratified the 5th day of February, 1963.

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(R42, H1076)

**No. 26**

**An Act To Amend The Code Of 1962 By Adding Section 65-3405.12, And To Amend Sections 65-3405.4 and 65-3405.9, Relating To The Assessment And Equalization System For Taxation Of Property In Charleston County, So As To Change Certain Dates And To Further Provide For Notices Of Assessments And Appeals.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-3405.4, 1962 Code, amended—powers and duties of board.**—Subsections 7 and 8 of Section 65-3405.4 of

the 1962 Code are amended by striking the date "1963" in each and inserting in lieu thereof the date "1964".

**SECTION 2. Section 65-3405.9, 1962 Code, amended—limit on increased revenue.**—Section 65-3405.9 of the 1962 Code is amended by striking, wherever it appears, the date "1963" and inserting in lieu thereof the date "1964", and by striking, wherever it appears, the date "1962" and inserting in lieu thereof the date "1963".

**SECTION 3. Code of 1962 amended—Section 65-3405.12 added—notice of assessments—hearings—appeals.**—The Code of 1962 is amended by adding Section 65-3405.12, which shall read as follows: "Section 65-3405.12. (a) Notices of the initial assessments under the Reassessment Program, which are to become effective for tax purposes under this article on January 1, 1964, shall be mailed by the tax assessor or administrator to all property owners in Charleston County on or before July 1, 1963, and as far in advance of this date as may be convenient.

(b) If any property owner or his agent objects to such valuation and assessment, he may on or before August 1, 1963 apply to the tax assessor or administrator for a hearing. Such hearing shall be conducted by the tax assessor or administrator or his duly authorized deputy in accordance with Section 65-1920.

(c) Appeals from the decision of the tax assessor or administrator shall be taken before the board of assessors, acting as a board of appeals, and may be taken at any time prior to August 15, 1963, and thereafter may be taken only within ten days after the decision of the tax assessor or administrator, as provided in Section 65-1920. Such appeals except as provided by this article shall be governed by Sections 65-1923 and 65-1924.

(d) Notices of assessments for 1964 which are identical to the assessments under the Reassessment Program and which were mailed in accordance with the provisions of this article, shall for the year 1964 be final and binding on the property owners, unless modified on appeal as provided by this section, and no such assessment shall be appealable in 1964, except upon the ground of destruction of value or change in use."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R43, H1097)

## No. 27

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Increase The Limitation Upon The Bonded Indebtedness Of The School District Of Greenville County, And To Eliminate Consideration Of Such Indebtedness As To Other Political Entities Covering The Same Territory.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of School District of Greenville County.**—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of South Carolina of 1962 as No. 1106 and proposing to amend the Constitution by authorizing the School District of Greenville County to impose a bonded indebtedness of not exceeding twenty per cent of the assessed value of the taxable property in the district, and further providing that the bonded indebtedness of the School District of Greenville County shall not be considered in determining the power to incur bonded indebtedness by Greenville County or by any political subdivision of Greenville County or of the State wholly covering or partially extending over the territory of the district, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, the following:

*"Provided, that the limitations imposed by Section 5 of Article X are removed for the School District of Greenville County and such district may impose a bonded indebtedness not exceeding twenty per cent of the assessed value of the taxable property in the district. The bonded indebtedness of the School District of Greenville County shall not be considered in determining the power to incur bonded indebtedness by Greenville County or by any political subdivision of Greenville County or of the State wholly covering or partially extending over the territory of the School District of Greenville County."*

Ratified the 5th day of February, 1963.

(R47, S15)

## No. 28

**An Act To Ratify The Amendment To Section 34 Of Article III Of The Constitution Of This State, Relating To The Prohibition Of Special Laws, So As To Empower The General Assembly To Divide The State Into Forestry Districts And To Enact Legislation For The Protection Of Forestry In The Districts.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article III, Section 34, State Constitution, ratified—State may be divided into forestry districts.**—The amendment to Section 34 of Article III of the Constitution of South Carolina, 1895, proposed under the terms of Act 990 of the Acts of 1962, having been submitted to the qualified electors at the general election in 1962, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 34 of Article III of the Constitution of South Carolina, 1895, the following :

*“Provided, further, that the General Assembly is empowered to divide the State into as many districts as may appear practicable, and to enact legislation as may appear proper for the protection of forestry in the several districts.”*

Ratified the 13th day of February, 1963.

(R51, S119)

## No. 29

**An Act To Amend Section 21-1032 Of The 1962 Code, Relating To The Conduct Of Elections For Members Of The County Board Of Education In Aiken County, So As To Require Nominating Petitions To Be Submitted Seven Days Before The Election Date.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-1032, 1962 Code, amended—Aiken County—conduct of election for board of education.**—Section 21-1032 of the 1962 Code is amended by changing the word “five” on next to the last line to “seven” so that, when so amended, it shall read as follows :

"Section 21-1032. Members of the county board of education shall be elected in their respective election districts by a special election to be held on the second Tuesday in March in each district in which the term of the member of the board from such district expires in such year. Such election shall be held between the hours of nine A. M. and seven P. M. Voting places shall be located at each of the precincts in each district where an election is being held. Voters shall vote only in the precinct in which they are registered. The commissioners shall appoint three managers for each precinct and a committee of three to conduct the election, canvass the vote and certify the results to the commissioners. The rules of the general election shall apply except as otherwise specified in this article. The committee shall list as a candidate any qualified resident elector on whose behalf twelve or more electors sign a request that his name be listed. If fewer nominating petitions are filed than there are places to fill in the election the committee shall place in nomination the name of any incumbent. All nominating petitions must be in the hands of the chairman of the election committee by three P. M. seven days before the election date. Necessary expenses of the election shall be paid from the county board of education funds."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R52, H1028)

**No. 30**

**An Act To Amend Section 14-3401, Code Of Laws Of South Carolina, 1962, Relating To The County Board Of Commissioners Of Sumter County, So As To Provide For The Filling Of Vacancies On The Board**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-3401, 1962 Code, amended — Sumter County Board of Commissioners — members — terms — vacancies.**—Section 14-3401, Code of Laws of South Carolina, 1962, is amended by adding at the end thereof the following: "All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. Any person who fills an

unexpired term of more than three years shall be eligible to serve one additional full term and any such person who fills an unexpired term of less than three years shall be eligible to serve two additional full terms." The section when so amended shall read as follows:

"Section 14-3401. The county board of commissioners of Sumter County shall consist of seven members, to be appointed by the Governor on the recommendation of the county legislative delegation. The original members of the board having been appointed, two for terms of two years, two for terms of four years and three for terms of six years, their successors have been and shall hereafter be appointed for terms of six years and until their successors shall have been appointed or qualified, the terms of two of the present commissioners expiring in 1962, of three in 1964 and of two in 1966. No member shall be appointed to more than two terms. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. Any person who fills an unexpired term of more than three years shall be eligible to serve one additional full term and any such person who fills an unexpired term of less than three years shall be eligible to serve two additional full terms."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R55, H1131)

**No. 31**

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To School Bond Indebtedness, So As To Increase The Limits In School District No. 6 Of Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of School District 6 of Spartanburg County.**—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1962, as No. 1224, having

been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Spartanburg School District No. 6 of Spartanburg County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding twelve per cent of the assessed value of all taxable property therein."

Ratified the 13th day of February, 1963.

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(R59, H1047)

**No. 32**

**An Act To Provide For A Tax Assessor And A Board Of Tax Assessors For Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Dillon County to appoint tax assessor, assistants and appraisers.**—In Dillon County the duties relative to the evaluation, assessment and equalization of property for taxation are hereby devolved upon a tax assessor. The tax assessor shall be appointed by the Governor upon recommendation of a majority of the Dillon County Legislative Delegation for a term of one year and until his successor is appointed and qualifies. The delegation shall appoint such assistant tax assessors and appraisers for such length of service as it deems necessary and provide for the compensation and expenses of the tax assessor and assistant tax assessors.

**SECTION 2. Duties.**—The tax assessor or the assistant tax assessors shall inspect the real property in the county, fairly and impartially assess its value, and make such changes in the valuation of any taxable property as they deem necessary to maintain proper and equal property valuation. The assessed valuation shall not exceed seven per cent of the appraised valuation.

**SECTION 3. Board of tax assessors created for Dillon County —appointments — terms — bonds — appeals.**—There is hereby created a board of tax assessors for tax assessments for Dillon County

which shall be composed of five members, four of whom shall be appointed by the Dillon County Legislative Delegation for terms of four years and until their successors are appointed and qualify. The Dillon County Tax Assessor shall serve ex officio as a member of the board and shall act as chairman. Members and the chief clerk of the board of tax assessors shall furnish bond in favor of the county in the amount of two thousand dollars each conditioned upon the faithful performance of their duties. Valuation placed upon property in the county may be reviewed by the county board of assessors under such rules and regulations as the board may promulgate. Any person who objects to the valuation and assessment placed upon his property may appeal to the county board of assessors in the same manner as is provided by law for appeals to county boards of equalization.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R60, H1157)

**No. 33**

**An Act To Exempt Hartsville Moose Lodge No. 1770 In Darlington County From County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Hartsville Moose Lodge No. 1770 exempt from taxes.**—All property of Hartsville Moose Lodge No. 1770 in Darlington County is exempt from county taxation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R67, H1196)

**No. 34**

**An Act To Amend Section 14-400.449 Of The 1962 Code, Relating To The Powers And Duties Of The Property Board Of McCormick County, So As To Provide For Payment Of Expenses Incurred In Sales Of Real Property And Timber.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-400.449, 1962 Code, amended—powers and duties of McCormick County Property Board.**—Item (3) of Section 14-400.449 of the 1962 Code is amended by inserting between the words “property” and “as” on line one “and timber”; by inserting between the words “property” and “will” on line three “and timber”; and by changing the semicolon to a period and deleting “and” on line 4 and adding the following: “Any normal expenses incurred in sale of real property and timber shall be paid by the county treasurer from the Property Board Fund upon vouchers approved by the chairman and secretary of the Board; and”. The section, when so amended, shall read as follows:

“Section 14-400.449. The Property Board shall:

(1) Work with the McCormick County Planning and Development Commission and any other agencies to seek to promote the welfare of McCormick County;

(2) Have the power to purchase for McCormick County from any person, state or government lands located in McCormick County which, in the opinion of the Board, may be used for the development of the county;

(3) Sell and convey such real property and timber as it may have acquired for the county to any person, state or government when, in its opinion, the Board shall decide that the sale of such property and timber will be for the best interest and development of the county. Any normal expenses incurred in sale of real property and timber shall be paid by the county treasurer from the Property Board Fund upon vouchers approved by the chairman and secretary of the Board; and

(4) Borrow money with which to purchase property for the development of McCormick County and mortgage or pledge such property for the debt created.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R69, H1143)

**No. 35**

**An Act To Amend Sections 21-199, 21-205 And 21-3411 Of The 1962 Code, Relating To The Appointment And Terms Of Trustees For School Districts In Lexington County, So As To Provide That Trustees Appointed Subsequent To 1962 Shall Be Ineligible To Serve More Than Two Consecutive Terms.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-199, 1962 Code, amended—Trustees of Lexington County School District 5—terms.**—Section 21-199 of the 1962 Code is amended by adding at the end thereof the following: "No trustee appointed from Lexington County subsequent to 1962 shall be eligible to serve more than two consecutive terms."

**SECTION 2. Section 21-205, 1962 Code, amended—Trustees of Lexington County School District 3—terms.**—Section 21-205 of the 1962 Code is amended by adding at the end thereof the following: "No trustee appointed from Lexington County subsequent to 1962 shall be eligible to serve more than two consecutive terms."

**SECTION 3. Section 21-3411, 1962 Code, amended—Trustees of Lexington County School Districts 1, 2, 3 and 4—terms.**—Section 21-3411 of the 1962 Code is amended by adding at the end thereof the following: "No trustee appointed subsequent to 1962 shall be eligible to serve more than two consecutive terms."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R70, H1181)

**No. 36**

**An Act To Amend Section 15-1601 Of The 1962 Code, Relating To The Territorial Jurisdiction Of The Civil Court Of Florence, So As To Redefine Such Territory.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1601, 1962 Code, amended—Civil Court of Florence established—area.**—Section 15-1601 of the 1962 Code is amended by striking at the end thereof "and Tans Bay.", and in-

serting in lieu thereof the following: “, Tans Bay and Johnson.” The section when amended shall read as follows:

“Section 15-1601. A court inferior to the circuit court, to be known as ‘The Civil Court of Florence,’ is hereby established for the city of Florence and the following territory adjacent thereto, in the county of Florence, to wit: The townships of Florence, Black Swamp, Jefferies, McMillian, Cain, Pee Dee, Lake, Lee, Lake City, Motts, Lynch, Effingham, James Cross Roads, Cartersville, Timmons ville, Ebenezer, Tans Bay and Johnson.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R71, S86)

**No. 37**

**An Act To Increase The Civil Jurisdiction Of Magistrates In Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Civil jurisdiction of magistrates in Saluda County.**

—Notwithstanding the provisions of Section 43-51, of the 1962 Code, the civil jurisdiction of all magistrates in Saluda County shall extend to cases where the amount in controversy does not exceed two hundred fifty dollars. Such jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R77, S120)

**No. 38**

**An Act To Amend Section 21-3202 Of The 1962 Code, Relating To The County Board Of Education Of Lancaster County, So As To Provide That The Members Of The Board Shall Receive A Per Diem Of Ten Dollars For Not More Than Twelve Meetings An-**

**nually And To Delete The Provisions Relating To The Election Of Members Of The Board.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-3202, 1962 Code, amended—Lancaster County Board of Education—members—appointments—terms—compensation—vacancies.**—Section 21-3202 of the 1962 Code is amended by striking the fourth and fifth sentences in their entirety and by striking on line 22 the word “such” and inserting the word “a” and by adding between the words “diem” and “and” on line 22 the words “of ten dollars for not more than twelve meetings annually.” The section when amended shall read as follows:

“Section 21-3202. The central authority for the Lancaster County school system shall be the Lancaster County board of education. The board shall consist of nine members who shall be appointed by the Governor upon the recommendation of the Senator and one half of the members of the House of Representatives from Lancaster County. The terms of office of the members shall be for four years and until their successors are appointed and qualify. Each township in the county, except the townships of Waxhaw, Indian Land, Gills Creek and Pleasant Hill, shall be represented by a member of the board, who shall be a resident of the particular township. The townships of Waxhaw and Indian Land shall be represented together by one member, who may be a resident of either township. Gills Creek and Pleasant Hill shall have two members each, who shall be residents of the township they represent. The superintendent of education for Lancaster County shall be ex officio the tenth member of the board and shall serve as secretary and executive officer of the board. No member of the board, except the superintendent of education, shall hold any other public office. The board shall by a majority vote elect its chairman. Members of the board shall receive no salary, but shall receive a per diem of ten dollars for not more than twelve meetings annually and mileage as may be provided by law for each meeting of the board pursuant to the terms of this article. In case of any vacancy occurring on the county board of education the Governor, upon the recommendation of the Senator and at least one half of the members of the House of Representatives from Lancaster County, shall make an appointment for the unexpired term.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

(R78, H1158)

## No. 39

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit School District No. 2 Of Anderson County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of School District 2 of Anderson County.**—The amendment to Section 5, Article X, of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution entitled “A Joint Resolution Proposing An Amendment To Section 5 of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So as To Permit School District No. 2 Of Anderson County To Incur Bonded Indebtedness Up To Fifteen Per Cent Of The Assessed Value Of The Taxable Property Therein” and appearing as Joint Resolution No. 1028 of the Acts of 1962, having been submitted to the qualified electors at the general election of 1962 in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Section 5, Article X, of the Constitution of South Carolina, 1895, the following: “*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to School District No. 2 of Anderson County and the school district may incur bonded indebtedness for school purposes to an amount not exceeding fifteen per cent of the assessed value of all taxable property therein.”

Ratified the 26th day of February, 1963.

(R80, H1210)

## No. 40

**An Act Providing For Certain Sinking Funds In Dorchester County, And Prohibiting The Transferring From Such Funds, Except Under Certain Conditions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Dorchester County to keep funds in separate accounts—transfers to and from sinking funds.**—All funds accruing to Dorchester County, or any subdivisions thereof, and all taxes levied for the payment of notes and bonds shall be retained in separate accounts. Should the amount in any of these accounts exceed the sum necessary to pay current notes or bonds the excess shall be placed in a sinking fund account for the county or subdivision.

Moneys placed in the sinking fund accounts shall not be transferred or expended except with the written approval of the legislative delegation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

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(R81, H1235)

**No. 41**

**An Act To Repeal Section 47-246, Of The 1962 Code, Relating To A Thirty-Five Mill Tax Upon Property Within The Corporate Limits Of The Town Of Ninety Six In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 47-246, 1962 Code, repealed.**—Section 47-246, of the 1962 Code, is hereby repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

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(R86, S130)

**No. 42**

**An Act To Amend Act No. 798 Of 1962, Relating To The Sumter County Commission For Technical Education, So As To Change The Name And Increase The Membership And Area Of The Commission To Include Clarendon, Kershaw And Lee Counties, And To Provide For Its Financial Support.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 2 of Act 798 of 1962 amended—Sumter Area Technical Education Commission created for Clarendon, Kershaw, Lee and Sumter Counties.**—Section 2 of Act No. 798 of 1962 is amended by striking it out and inserting in lieu thereof the following:

“Section 2. There is hereby created the Sumter Area Technical Education Commission composed of the counties of Clarendon, Kershaw, Lee and Sumter. The Commission shall be a body politic and corporate, and shall consist of nine members. Each member shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation of his respective county, and each member shall be a qualified registered elector of the county he represents. Six members shall be appointed from Sumter County for terms of four years, and until their successors are appointed and qualify, except of those first appointed, two shall serve for two years, two shall serve for three years and two shall serve for four years. One member shall be appointed from each of the following counties: Clarendon, Kershaw and Lee. Their terms shall be for four years and until their successors are appointed and qualify, except that of those first appointed, one shall serve for a term of two years, one shall serve for a term of three years, and one shall serve for a term of four years, the length of each such term to be determined initially by lot. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term only. As soon as possible after the initial appointments have been made, the Commission shall organize by electing one of its members as chairman, one as vice chairman, and one as secretary. A transcript of the record of the initial organization shall be filed with the clerk of court of each of the four counties comprising the Commission. The terms of the initial appointees shall be extended so that all terms will expire July first of the appropriate year.”

**SECTION 2. Item (11), Section 4 of Act 798 of 1962 amended—expenditure of funds.**—Item (11) of Section 4 of Act No. 798 of 1962 is amended by striking the words “by Sumter County” on lines two and three, so that when amended the item shall read as follows:

“(11) to expend any funds received in any manner, including the proceeds derived from any bonds which may be issued to defray

any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance and improvement of the facilities;”.

**SECTION 3. Section 5 of Act 798 of 1962 amended—records and audit.**—Section 5 of Act No. 798 of 1962 is amended by striking the last sentence and inserting in lieu thereof the following: “Copies of the audit shall be filed with the clerk of court and the legislative delegation of each county comprising the Commission.” The section when amended shall read as follows:

“Section 5. The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the clerk of court and the legislative delegation of each county comprising the Commission.”

**SECTION 4. Section 6 of Act 798 of 1962 amended—reports.**—Section 6 of Act No. 798 of 1962 is amended by striking the words “Secretary of the Sumter County Legislative Delegation” on lines three and four and inserting in lieu thereof the words “legislative delegation of each county comprising the Commission.” The section when amended shall read as follows:

“Section 6. Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with the legislative delegation of each county comprising the Commission.”

**SECTION 5. Act 798 of 1962 amended—Section 6A added—appropriations.**—Act No. 798 of 1962 is amended by adding Section 6A, which shall read as follows:

“Section 6A. Each of the counties comprising the Commission shall pay towards the cost of operating the Commission for the remainder of the fiscal year 1962-1963 up to but not in excess of one thousand five hundred dollars each, and for the fiscal year 1963-1964 up to but not in excess of four thousand dollars each. Such payments shall be made upon request of the Commission by April first of the applicable fiscal year. Representation on the Commission shall be contingent upon continued financial support and participation by each respective county. The initial cost of acquiring land and erecting the facilities shall be the sole responsibility of Sumter County.”

**SECTION 6. Sumter County Commission for Technical Education to be abolished.**—The Sumter County Commission for Technical Education shall be abolished thirty days after the effective date of this act.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R87, S132)

No. 43

**An Act To Amend Section 8-222, Of The 1962 Code, Relating To Loans On Real Estate, So As To Extend The Maximum Term Of Repayment From Ten To Fifteen Years.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 8-222, 1962 Code, amended—loans on real estate.**—Section 8-222, of the 1962 Code, is amended by striking the word “ten” on the third line and inserting in lieu thereof the word “fifteen”. The section when amended shall read as follows: “Section 8-222. Loans secured by first liens on improved real estate can be made only up to sixty per cent of the appraised value of the real estate and for a term of not longer than fifteen years. The principal amount of such real estate loans shall be amortized at the rate of at least five per cent per annum.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R88, S136)

No. 44

**An Act To Authorize The City Of Sumter To Contract To Furnish Water Or Sewage Service To Any Person Within Or Without The City For A Period Not To Exceed Fifty Years.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Furnishing of water or sewage service by City of Sumter.**—The City of Sumter may, through its proper officials,

enter into a contract with any person, within or without its corporate limits, to furnish such person water, or sewage disposal facilities, upon such terms, rates, and charges as may be fixed by contract between the parties, when in the judgment of its officials it is for the best interest of the municipality to do so. No such contract shall be for a longer period than fifty years, but any such contract may be renewed from time to time for periods not exceeding fifty years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R89, S131)

**No. 45**

**An Act To Amend Section 16-385.1 Of The 1962 Code, Relating To The Cutting, Removing Or Transporting Timber, Logs Or Lumber Without Permission, So As To Correct A Typographical Error.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 16-385.1, 1962 Code, amended—unlawful to cut or remove lumber without consent of owner.**—Section 16-385.1 of the 1962 Code is amended by striking the word “and” on line twelve and inserting in lieu thereof the word “or”. The section when amended shall read as follows :

“Section 16-385.1. It shall be unlawful for anyone to knowingly or wilfully cut, destroy or remove any trees or timber of any kind standing or growing on any lands of this State, whether privately or publicly owned, or to remove any logs or trees cut from any such lands without the consent of the owner. It shall also be unlawful for anyone who is the owner, master, pilot, operator or consignee of any vessel, vehicle, motor vehicle, aircraft or the owner, director or agent of any railroad to transport any timber or logs or the lumber manufactured therefrom knowing them to have been cut or removed from such property. Anyone violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than two thousand dollars or imprisoned not more than two years, or both; *provided*, that if the value of such trees, logs or lumber is fifty dollars or less, the penalty shall not exceed a fine of one hundred dollars or imprisonment for thirty days, or both.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R90, S146)

**No. 46**

**An Act Authorizing The City Of Beaufort To Furnish Fire Protection Beyond Its City Limits.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. City of Beaufort may furnish fire protection beyond its corporate limits.**—The City of Beaufort may furnish fire protection to properties situated outside of, and beyond, the corporate limits of the municipality and may contract for the furnishing of such fire protection.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R93, H1065)

**No. 47**

**An Act To Ratify An Amendment To Section 17, Article I, Of The Constitution Of South Carolina Which Provides That No Person Shall Be Held To Answer For Any Criminal Offense Where The Punishment Exceeds A Fine Of Two Hundred Dollars Or Imprisonment For Thirty Days, With Or Without Hard Labor, Unless On A Presentment Or Indictment Of A Grand Jury Of The County Where The Crime Shall Have Been Committed, Except In Certain Cases.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Amendment to Article I, Section 17, State Constitution, ratified—presentments of grand juries.**—The amendment to Section 17, Article I, of the Constitution of South Carolina, 1895, proposed under the terms of Act 437 of the Acts of 1961, having been submitted to the qualified electors in a manner prescribed

by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so that, when amended, Section 17, Article I, of the Constitution of South Carolina, 1895, shall read as follows:

“Section 17. No person shall be held to answer for any crime where the punishment exceeds a fine of two hundred dollars or imprisonment for thirty days, with or without hard labor, unless on a presentment or indictment of a grand jury of the County where the crime shall have been committed, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or liberty, nor shall be compelled in any criminal case to be a witness against himself. Private property shall not be taken for private use without the consent of the owner, nor for public use without just compensation being first made therefor.”

Ratified the 5th day of March, 1963.

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(R95, H1264)

**No. 48**

**An Act To Amend Section 47-114.1 Of The 1962 Code, Relating To The Election Of The Mayor And Councilmen Of The Town Of Ocean Drive Beach, So As To Further Provide For The Election Of The Councilmen.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 47-114.1, 1962 Code, amended—Town of Ocean Drive Beach—election of mayor and councilmen.**—Section 47-114.1 of the 1962 Code is amended by striking on line 7, “of such ward.” and inserting in lieu thereof “at large.” The section when amended shall read as follows:

“Section 47-114.1. The Town of Ocean Drive Beach shall be governed by a mayor and four councilmen. The mayor shall be elected by the qualified electors at large for a term of two years and until his successor is elected and qualifies. Two councilmen having been elected initially from each ward, one to serve two years and one to serve one year, thereafter one councilman shall be elected from each

ward each year by the qualified electors at large. The terms of office shall be for two years and until their successors are elected and qualify."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R98, H1195)

**No. 49**

**An Act To Amend Act No. 776 Of 1962 As Amended, Relating To The Charleston County Court, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 20 of Act 776 of 1962 amended—Charleston County Court—pleadings and rules of procedure.**—Section 20 of Act No. 776 of the 1962 is amended by striking the words "or copies" on line 5, by changing the comma after the word "court" on line 7 to a period and by striking the rest of the section so that when so amended the section shall read as follows:

"Section 20. The same forms of pleadings and the same rules of procedure, practice and evidence shall obtain in the County Court as provided by law for the trial of civil and criminal cases in the Circuit Court, when not inconsistent with the provisions of this act. The pleadings thereof in a case for trial before the Court shall be filed in the clerk's office, as provided by law for the Circuit Court."

**SECTION 2. Section 22 of Act 776 of 1962 amended—drawing and summoning of jurors.**—Section 22 of Act No. 776 of 1962 is amended by striking the word "eighteen" on line 11 and insert in lieu thereof the words "twenty-four" and by striking the words "twenty-seven" on line 14 and inserting in lieu thereof the word "thirty" so that when so amended the section shall read as follows:

"Section 22. The board of jury commissioners, as constituted by law in the county for drawing of the jurors for the Circuit Court, shall constitute the board of commissioners for the drawing of jurors to attend upon both civil and criminal sessions in the County Court and such commissioners shall, upon the order of the Court, at such

times as shall be fixed and, after five days notice of such drawing, draw from the jury box a panel of petit jurors, whether the same has been previously drawn or not, and the clerk of the Court shall immediately issue to the Sheriff a venire containing the names of the persons drawn as petit jurors. Not more than twenty-four persons shall be drawn and summoned to attend at the same time at any civil session of the Court unless the Court shall otherwise order. There shall be drawn for jury duty to attend each session of the criminal court at least thirty jurors and the Court may summon additional jurors in accordance with law when in its discretion it is deemed warranted. Each venire shall be returnable at such time as may be named by the Court and the persons so served shall be the jurors for the session of the Court. The law relating to the qualifications, drawing and summoning of jurors of the Circuit Court shall apply to the County Court except as may otherwise be provided herein."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R99, H1206)

**No. 50**

**An Act To Amend Act No. 966 Of 1962, Relating To The Municipal Court Of The City Of Charleston, So As To Increase The Jurisdiction And Maximum Fine Therein To Two Hundred Dollars.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item 1, Section 2 of Act 966 of 1962 amended—Municipal Court of City of Charleston—jurisdiction of.**—Item 1 of Section 2 of Act No. 966 of 1962 is amended by striking the word "one" on line three and by inserting in lieu thereof the word "two" so that when so amended the item shall read as follows:

"(1) Original and exclusive jurisdiction of all offenses committed within the corporate limits of the City of Charleston, which may be subject to the penalties of fines or forfeiture not exceeding two hundred dollars, or imprisonment, with or without hard labor, not exceeding thirty days, and of all offenses which are now or may hereafter be within the jurisdiction of magistrates or recorders;"

**SECTION 2. Section 3 of Act 966 of 1962 amended—jurisdiction further.**—Section 3 of Act No. 966 of 1962 is amended by striking the word “one” on line three and by inserting in lieu thereof the word “two” so that when amended the section shall read as follows:

“Section 3. When any person is convicted or pleads guilty to any offense in the court, the judge may sentence him to pay a fine not exceeding two hundred dollars or serve a term not exceeding thirty days in jail, with or without hard labor, and any sentence may be imposed within these limits singly or in the alternative. The judge may in his discretion suspend sentence imposed by him upon such terms as in his discretion may seem fit and proper.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R102, S103)

**No. 51**

**An Act To Create The Marlboro Court Library Commission For The Purpose Of Establishing And Operating A Law Library In Marlboro County; To Provide For Its Powers And Duties; To Increase The Amount Of Court Costs Assessed In Marlboro County Attendant To Criminal Bond Forfeitures And Fines For The Support Of The Library And To Provide For The Deposit And Disbursement Of Funds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Marlboro Court Library Commission created.**—There is hereby created the “Marlboro Court Library Commission” consisting of three members who shall be appointed by the Marlboro County Bar Association from its practicing members in good standing. The first commissioners shall be appointed for terms of one, two and three years, respectively, and their successors for terms of three years each. Each shall hold office until his successor has been appointed. Vacancy in an unexpired term shall be filled in the same manner for the unexpired portion of the term only. All commissioners shall serve without pay, and shall not serve consecutively more than two terms.

**SECTION 2. Officers and meetings.**—The commission shall organize by the election of a chairman, secretary and such other officers as may be deemed expedient. Its meetings shall be held at the call of the chairman, a majority of its members, or on request of a majority of the Marlboro County Bar.

**SECTION 3. Powers and duties.**—The commission shall establish and exercise exclusive control over a Law Library in Marlboro County to be known as the "Marlboro Court Library". It shall maintain the library for the use and benefit of the courts of Marlboro County and the judges thereof, visiting judges, the officials of Marlboro County, and the members of the Marlboro County Bar Association as hereinafter provided. The commission shall make and promulgate such rules, regulations and orders providing for the use, management, control and operation of the library as it may deem proper and advisable. It may accept donations of books, funds and other property for the use and benefit of the library, dispose of books and other equipment deemed unnecessary or obsolete, purchase books and other necessary material and make any expenditure which it may deem reasonable and necessary for the proper upkeep and orderly management of the library, including a reasonable salary for a librarian if necessary. Funds received shall be deposited in and disbursed from the Marlboro Court Library Fund as provided in Section 6 of this act.

**SECTION 4. Location of library.**—The Marlboro County Highway Commission shall provide suitable housing for the library.

**SECTION 5. Powers and duties further.**—The commission shall frame rules and regulations permitting the use of the library by the members of the Marlboro County Bar Association who are in good standing. One of such regulations shall require the payment of an annual charge to be determined by the commission; no member of the Bar shall be permitted to use the library until this has been paid. The commission may fix and assess fines for violation of the rules and regulations promulgated for the operation of the library and may deny the use thereof to any member of the Bar failing to comply therewith. All funds derived under this section shall be deposited to and disbursed from the Marlboro Court Library Fund as provided in Section 6 of this bill. These particular funds shall be used by the commission for the purchase of books, legal periodicals and other necessary library supplies and equipment; any balance remaining after such expenditures may be used for operating expenses of the library.

**SECTION 6. Funds.**—There shall be added five per cent as costs to the amount of any and all criminal fines imposed and collected in the Magistrates' Courts, and Circuit Court for Marlboro County. The word "fines" shall include all amounts forfeited as bonds. The foregoing costs, which shall be in addition to any and all other costs imposed by law, shall be set aside and held by the Treasurer of Marlboro County in a special account to be designated as the "Marlboro Court Library Fund." The treasurer, in setting aside these funds, shall assume that such costs have been collected as a part of each fine or forfeiture remitted. This fund shall be used solely for the maintenance, support and operation of the Marlboro Court Library, and the purchase of books, and shall be paid out by the Treasurer of Marlboro County only upon vouchers drawn in the name of the Marlboro Court Library Commission and signed by its secretary and chairman.

**SECTION 7. Reports.**—The commission shall make annual reports to the Marlboro County Bar Association on the conduct of the library, including a detailed statement as to the receipt and disbursement of funds, such statement to show each voucher issued against the Marlboro Court Library Fund, the amount thereof, to whom issued, and any balance remaining at the end of the year.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1963.

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(R106, S75)

No. 52

**An Act To Amend Section 14-3566 Of The 1962 Code, Relating To The Publication Of Disbursements By The Williamsburg County Supervisor, So As To Provide For A Quarterly Publication And To Delete The Requirement That Certain Information Be Included In The Publication.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-3566, 1962 Code, amended—Williamsburg County—publication of disbursements.**—Section 14-3566 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

"Section 14-3566. The supervisor shall cause to be published quarterly in a county newspaper a statement of all disbursements for the current quarter."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R107, S89)

**No. 53**

**An Act To Create The Chesterfield County Commission For Vocational And Technical Training And Trade Schools.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Chesterfield County Commission for Vocational and Technical Training and Trade Schools created.**—There is hereby created the Chesterfield County Vocational and Technical Training and Trade Schools Commission, hereinafter called the Commission, which shall be composed of seven members.

The Commission shall consist of one member from each of the six school districts of Chesterfield County who shall be appointed by the Governor upon the written recommendation of a majority of the respective local school district board of trustees of the county. Each of the six local school district board of trustees shall recommend one person for membership on the Commission, and such person must reside within the school district he represents. The commissioners shall be appointed for terms of four years and until their successors are appointed and qualify. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term only.

The Superintendent of Education for Chesterfield County shall, by virtue of his office, be an ex officio member of the Commission and shall be the secretary and treasurer of the Commission, and shall be entitled to vote as other members.

At their first meeting the commissioners shall elect a chairman and vice-chairman from among their members and proceed to organize and adopt such rules and procedures as may seem desirable to carry out their duties.

The members of the Commission shall serve without compensation or fees.

**SECTION 2. Meetings.**—The Commission may meet at such times and at such places as seems most desirable to a majority of the members. Meetings shall be called by the chairman of the Commission; *provided*, that in the event the chairman is unable or unwilling to call a meeting, the Commission can be called into session on the written request and signatures of three members.

**SECTION 3. Duties.**—The Commission shall have as its purpose the development, implementation and the encouragement of an adequate vocational and technical training and trade schools program in Chesterfield County, and more specifically, the establishment in Chesterfield County of facilities to offer adequate vocational and technical training and trade schools programs, which shall include, but not be limited to, the following: (1) A crash program coordinated with the State's industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries; (2) increased emphasis on industrial arts programs and basic industrial vocational programs within existing high school curriculums; (3) technical training programs primarily designed to train high school students and graduates as technicians for initial employment in industry and (4) provide trade courses and trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills.

**SECTION 4. Duties and powers further.**—The Commission shall cooperate with the County Development Board and the County Department of Education in carrying out its programs and objectives and with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and generally, to take such action in its name as is necessary to secure for Chesterfield County the vocational and technical training and trade school facilities described by this act; *provided*, that Chesterfield County shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Chesterfield County Legislative Delegation.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out the purposes of this act.

**SECTION 5. Records and report.**—The Commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Chesterfield County Legislative Delegation which shall include an accounting of all funds the Commission may have received and disbursed in the twelve months preceding that date.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R108, S90)

**No. 54**

**An Act To Create The Chesterfield County Commission For Higher Education.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Chesterfield County Commission for Higher Education created.**—There is hereby created the Chesterfield County Commission for Higher Education, hereinafter called the Commission, which shall be composed of seven members.

The Commission shall consist of one member from each of the six school districts of Chesterfield County who shall be appointed by the Governor upon the written recommendation of a majority of the respective local school district board of trustees of the county. Each of the six respective local school district board of trustees shall recommend one person for membership on the Commission, and such person must reside within the school district he represents. The commissioners shall be appointed for terms of four years and until their successors are appointed and qualify. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term only.

The Superintendent of Education for Chesterfield County shall, by virtue of his office, be an ex officio member of the Commission and shall be the secretary and treasurer of the Commission, and shall be entitled to vote as other members.

At their first meeting the commissioners shall elect a chairman and vice chairman from among their members and proceed to organize and adopt such rules and procedures as may seem desirable

to carry out their duties. All members of the commission shall serve without compensation or fees.

**SECTION 2. Meetings.**—The Commission may meet at such times and at such places as seems most desirable to a majority of the members. Meetings shall be called by the chairman of the Commission; *provided*, that in the event the chairman is unable or unwilling to call a meeting, the Commission can be called into session on the written request and signatures of three members.

**SECTION 3. Duties.**—The Commission shall have as its purpose the encouragement of higher education in Chesterfield County and adjacent areas and, more specifically, the establishment in Chesterfield County of an extension division of Clemson College or the University of South Carolina or any of the other state supported institutions of higher learning by establishing facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable. The Commission shall establish standards for the admission of persons to such courses. The Commission shall seek the advice of such persons as may be necessary to carry out the purposes of this act.

**SECTION 4. Duties and powers further.**—To carry out its purposes and objectives the Commission, with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such action in its name as is necessary to secure for Chesterfield County and adjacent areas the educational facilities described by this act; *provided*, that Chesterfield County shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Chesterfield County Legislative Delegation; *provided*, further, that the location of the site of such educational facilities shall be determined by the majority vote of the qualified electors of Chesterfield County at a special, primary or general election held in the County of Chesterfield.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out the purposes of this act.

**SECTION 5. Records and report.**—The Commission shall keep accurate and detailed records of its meetings and actions and shall, as

soon after June thirtieth of each year as is feasible, submit a written report to the Chesterfield County Legislative Delegation which shall include an accounting of all funds the Commission may have received and disbursed in the twelve months preceding that date.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R110, S153)

**No. 55**

**An Act To Exempt Certain Fallout Shelters In Jasper County From Taxation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Fallout shelters in Jasper County exempt from taxes.**—All privately owned fallout shelters in Jasper County constructed at a cost not to exceed two thousand dollars and approved by the civil defense director shall be exempt from all county taxes.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R111, S172)

**No. 56**

**An Act To Amend Section 21-3955 Of The 1962 Code, Relating To The Compensation Of School Trustees Of Saluda County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3955, 1962 Code, amended—compensation of Saluda County school trustees.**—Section 21-3955 of the 1962 Code is amended by striking on line three, the word “five” and inserting in lieu thereof the word “ten”, and by striking on the last line the words “the chairman.” and inserting in lieu thereof the words “a majority of the board, including the chairman.” The section when amended shall read as follows :

“Section 21-3955. The board of trustees shall be allowed ten dollars for each meeting; *provided*, however, that members shall not be paid for more than ten meetings during any fiscal year. All expenses of such meetings shall be paid from the county board fund of the county upon vouchers approved and signed by a majority of the board, including the chairman.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R112, S179)

**No. 57**

**An Act To Create The Georgetown County Development Commission, To Set Forth Its Powers And Duties And To Repeal Sections 14-400.291, 14-400.292, 14-400.293, 14-400.294 And 14-400.295, Code Of Laws Of 1962, Concerning The Georgetown County Planning And Development Commission.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Georgetown County Development Commission created.**—There is hereby created the Georgetown County Development Commission which shall be composed of fifteen members who shall be appointed by the Governor upon the recommendation of a majority of the members of the legislative delegation, including the Senator. The terms of the members shall be for four years, except of those first appointed five shall be for four years, five shall be for three years and five shall be for two years. The Commission shall meet as soon as practicable after appointment and its first order of business shall be to determine by lot the terms of office of those members first appointed. The Commission shall then proceed to organize itself by electing one of its members as chairman, one as treasurer, one as secretary and such other officers as the Commission may deem appropriate. The secretary shall as soon as practicable notify the Secretary of State of the length of the terms of the members first appointed. Any vacancy in the membership of the Commission by reason of death, resignation or otherwise shall be filled for the unexpired portion of the term in the same manner as provided for original appointment. The chairman of the County Board

of Commissioners, the mayors of the incorporated municipalities of the county, any member of the State Development Board who is a resident of the county and any member of the State Ports Authority who is a resident of the county shall be members, ex officio, and shall be invited to attend and participate in all full meetings without holding office or voting.

**SECTION 2. Powers and duties.**—The Commission is created for the purpose of promoting and encouraging the industrial and commercial development of the county. The Commission shall have full power to acquire by gift, purchase or trade such property, real or personal, considered necessary pursuant to the purposes of this act. It may hold, option, mortgage, lease or convey out right or hypothecate in any manner that it may deem expedient for consideration or by gift any property of which it may hold title. *Provided*, however, that the Commission shall not lease, convey title to or encumber or hypothecate any real or personal property except upon written consent of no less than eight members of the Commission and written approval of a majority of the legislative delegation, including the Senator. Any conveyance must be signed by the chairman and secretary of the Commission.

**SECTION 3. Bonding of members.**—Each member of the Commission shall be bonded in the sum of one thousand dollars and the premium for each bond shall be paid from the general fund of the county on vouchers signed by the chairman, except that the chairman, treasurer and secretary shall be bonded for not less than five thousand dollars each. Bonds shall be purchased from a bonding company approved by the Treasurer of Georgetown County.

**SECTION 4. Title to property.**—The title to such property as is placed under the jurisdiction of the Commission shall be held in the name of the Commission for and on behalf of Georgetown County.

**SECTION 5. Removal of members.**—Any member of the Commission shall be removed by the Governor upon the written request of a majority of the legislative delegation, including the Senator

**SECTION 6. Employ personnel.**—The Commission is authorized to employ such personnel as it may deem necessary consistent with those sums appropriated for use of the Commission, and payment for real and personal property purchased shall be from the same source.

**SECTION 7. Compensation.**—The Commission shall serve without pay, but may be reimbursed for actual expenses incurred in attending meetings and other business for which appointed.

**SECTION 8. Sections 14-400.291 thru 14-400.295, 1962 Code, repealed.**—Sections 14-400.291, 14-400.292, 14-400.293, 14-400.294 and 14-400.295, Code of Laws of 1962, are repealed.

**SECTION 9. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R114, S181)

**No. 58**

**An Act Authorizing The Town Of Port Royal To Furnish Fire Protection Beyond Its City Limits.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Town of Port Royal may furnish fire protection beyond its corporate limits.**—The Town of Port Royal may furnish fire protection to properties situated outside of, and beyond, the corporate limits of the municipality and may contract for the furnishing of such fire protection.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R116, H1058)

**No. 59**

**An Act To Name The Technical Education Facilities In Richland County The "Richland Technical Education Center."**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Act 954 of 1962 amended—Section 3A added—name of facilities.**—Act No. 954 of the Acts of 1962 is amended by adding a new section after Section 3 to be known as Section 3A which shall read as follows:

“Section 3A. The name of the facilities constructed and equipped in accordance with the provisions of this act shall be ‘Richland Technical Education Center’.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R117, H1208)

No. 60

**An Act To Amend Section 14-783 Of The 1962 Code Requiring A Publication Of Monthly Reports By The Governing Body Of Aiken County, So As To Abolish Such Requirement And To Require That The County Treasurer Publish Monthly And Semi-annually Reports Of Certain Disbursements Of His Office, And To Repeal Section 14-785 Of The 1962 Code Relating To Costs Of Publication Of The Governing Body's Reports.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-783, 1962 Code, amended—Aiken County Treasurer to publish certain expenditures.**—Section 14-783 of the 1962 Code is amended to read as follows :

“Section 14-783. The Treasurer of Aiken County shall publish not later than fifteen days after the end of each month the number, payee and amount of each voucher paid by his office during the preceding month, exclusive of vouchers for school purposes and for salaries. The treasurer shall also within fifteen days after the end of the month concerned make a similar publication of salary vouchers paid in the months of July and December. Publication shall be in one or more newspapers published in the County.”

**SECTION 2. Section 14-785, 1962 Code, repealed.**—Section 14-785 of the 1962 Code is repealed.

**SECTION 3. Time effective.**—This act shall take effect July 1, 1963.

Approved the 13th day of March, 1963.

(R118, H1265)

**No. 61**

**An Act To Amend Section 6-152 Of The 1962 Code, Relating To The Keeping Of Vicious Dogs In Aiken County, So As To Include Greenwood County Under The Provisions Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 6-152, 1962 Code, amended—keeping of vicious dogs in Aiken or Greenwood Counties.**—Section 6-152 of the 1962 Code is amended by inserting on line 2 between the words “county” and “unless” the words “or Greenwood County”, so that when amended the section shall read as follows:

“Section 6-152. It shall be unlawful to own or keep a vicious dog within the confines of Aiken County or Greenwood County unless such vicious dog be securely muzzled or securely confined within such owner’s or keeper’s private premises.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R119, H1292)

**No. 62**

**An Act To Change The Terms Of Office Of The Mayor And Wardens Of The Town Of Lodge In Colleton County From One To Two Years.**

Whereas, the Town Council of the Town of Lodge in Colleton County by unanimous vote resolved that the terms of office of the mayor and wardens be increased from one to two years beginning with the election of 1963. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of mayor and wardens for Town of Lodge.**—Notwithstanding the provisions of Section 47-111 of the 1962 Code, the terms of office of the Mayor and Wardens of the Town of Lodge in Colleton County elected in the year 1963 and subsequently shall be for two years each.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

(R120, H1294)

**No. 63**

**An Act To Repeal Section 65-1556 Of The 1962 Code Exempting Certain Hotel Buildings In The City Of Georgetown From City Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-1556, 1962 Code, repealed.**—Section 65-1556 of the 1962 Code is repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R124, S170)

**No. 64**

**An Act To Provide That The Provisions Of Chapter 28 Of Title 56 Of The Code Of Laws Of South Carolina, 1962, Relating To The South Carolina Real Estate Commission, Shall Apply To Georgetown County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain real estate laws applicable to Georgetown County.**—The provisions of Chapter 28 of Title 56 of the 1962 Code shall apply to Georgetown County and any person who has been engaged as a real estate broker, counselor, real estate salesman, appraiser or property manager in the county for one year next preceding the effective date of this act, and has for such a period of one year or more been engaged actively in such business, may secure a license from the South Carolina Real Estate Commissioner without examination, provided that such person shall make application therefor as provided by Chapter 28 of Title 56 of the Code of 1962 within ninety days after the effective date of this act.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

(R125, S201)

**No. 65****An Act To Exempt Hart Lodge No. 380 A. F. M. In Lancaster County From Certain Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Hart Lodge No. 380 in Lancaster County exempt from taxes.**—All real and personal property owned by Hart Lodge No. 380 A. F. M. in Lancaster County shall be exempt from all county, municipal and school taxes.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R126, S202)

**No. 66****An Act To Amend Section 65-1559 Of The 1962 Code, Relating To Exemptions From Taxation Of Certain Manufacturing Plants In Lancaster County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Sec. 65-1559, 1962 Code, amended—tax exemptions for certain enterprises in Lancaster County.**—Section 65-1559 of the 1962 Code is amended by striking on lines 2 and 3 “an assessed valuation of not less than two hundred thousand” and inserting “with an investment of not less than fifty thousand” and is further amended by striking on lines 5 and 6 “an assessed valuation of not less than two hundred thousand” and inserting “with an investment of not less than fifty thousand” so that when so amended the section shall read as follows :

“Section 65-1559. Any manufactory, bleachery, finishing or printing plant desiring to locate property in Lancaster County, with an investment of not less than fifty thousand dollars, and any manufactory now existing in said county which shall construct additions or improvements to existing plants or additional plants with an investment of not less than fifty thousand dollars, shall be exempt from all county taxes except for school purposes for ten years from the time of its establishment or the construction of such addition or improvement.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R128, H1284)

**No. 67**

**An Act To Create The Commission For Technical Education For Florence-Darlington Counties And To Define Its Functions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical education facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision.

**SECTION 2. Florence-Darlington County Commission for Technical Education created.**—There is hereby created, as an administrative agency of Florence-Darlington Counties, a commission to be known as the "Florence-Darlington County Commission for Technical Education" (hereinafter referred to as the "Commission"), which shall consist of nine qualified registered electors, four from Darlington County, and four from Florence County. The ninth member to be appointed first from Florence County and thereafter rotating each term between the two counties. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of each legislative delegation, including the Senator from the respective county. Of those first appointed, one from Darlington County and two from Florence County shall have terms of one year, two from Darlington County and one from Florence County shall have terms of two years, and one from Darlington County and two from Florence County shall have terms of three years. Thereafter their successors shall be appointed from the other county for a term

of three years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its members as chairman, another as vice-chairman, and a third as secretary. The chairmanship and vice-chairmanship shall rotate each year between the two counties. A transcript of the record of the initial organization shall be filed with the Clerks of Court of Florence-Darlington Counties in order to reflect the initial membership of the Commission and those who shall become its officers.

**SECTION 3. Duties.**—The Commission shall provide for the creation, maintenance, and operation of a technical educational center to be located in one of the two counties as the Commission shall designate, and there shall be developed and carried out at such center the following:

1. A program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries in accordance with Section 23 of Act 323 of the Acts of 1961.
2. Technical training programs for those who apply and are qualified to train as technicians for initial employment in industry.
3. Provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills.

A high school diploma shall not be a prerequisite in order to qualify to train under any of the programs.

**SECTION 4. Powers.**—When funds are appropriated by the General Assembly the Commission is authorized and empowered to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

1. To adopt and use a corporate seal.
2. To adopt such by-laws, rules and regulations for the conduct of business and the expenditure of appropriated funds as it may deem advisable.
3. To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
4. To accept gifts, grants, donations, devises and bequests.
5. To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.
6. To provide the necessary administrative services required by the State program.
7. To employ such personnel as may be necessary to enable the Commission to fulfill its functions.
8. To establish, promulgate, and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities.
9. To operate its affairs on a fiscal year coinciding with that of the two counties involved.
10. To expend any funds received in any manner, including the proceeds derived from any bonds which may be issued by Florence and Darlington Counties to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance, and improvement of the facilities.
11. To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.
12. To exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it; *provided*, the Commission shall not cause any encumbrance to be put on any property under its control.

**SECTION 5. Records and audit.**—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Secretary of the Florence County Legislative Delegation and the Secretary of the Darlington County Legislative Delegation.

**SECTION 6. Reports.**—Not less frequently than annually the Commission shall make a written report of the activities of the Com-

mission and file a copy with the Secretary of the Florence County Legislative Delegation and the Secretary of the Darlington County Legislative Delegation.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

(R129, H1305)

**No. 68**

**An Act To Establish An Assessment And Equalization System For Taxation Of Property In Georgetown County; To Provide For A Board Of Assessors, Its Membership, Powers And Duties; To Provide A Method Of Tax Appeals; To Prohibit The Board From Changing Present Assessments With Exceptions; And To Repeal Any Acts Inconsistent Herewith.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Georgetown County Board of Assessors created.**

—There is hereby created the Georgetown County Board of Assessors to be composed of six appointed members and the County Auditor, ex officio, who shall serve as Chairman of the Board, but can vote only in a tie. One member, who is a resident of the tax district, shall be appointed from each of the six tax districts which are created and described herein: Tax District No. 1, that area of Georgetown County lying south of U. S. Hwy. 521 and south and west of the channel of Winyah Bay, excluding the corporate limits of the City of Georgetown and City of Andrews; Tax District No. 2, that area of Georgetown County lying north of U. S. Hwy. 521, excluding the corporate limits of the City of Georgetown and the City of Andrews and is south of the run of Black Mingo Creek, Black River and Pee Dee River to where it joins Winyah Bay; Tax District No. 3, that area of Georgetown County which lies west of Waccamaw River and north of the run of Black Mingo Creek, Black River and Pee Dee River where it joins Winyah Bay; Tax District No. 4, that area of Georgetown County which lies east of Waccamaw River and north and east of the channel of Winyah Bay; Tax District No. 5, that area of the county within the corporate limits of the City of Georgetown and any future expansion of the

city limits; Tax District No. 6, that area of the county within the corporate limits of the City of Andrews and any future expansion of the city limits.

**SECTION 2. Appointments — terms — vacancies.**—The six appointed members shall be appointed by the Governor upon the recommendation of a majority of the delegation, including the Senator, of Georgetown County. As soon as practicable after appointment, the board shall meet and draw lots for the initial terms of its members. Three shall be for a term of two years, three shall be for a term of four years, after which their successors shall be appointed for a regular term of four years. When the length of the initial terms is established the chairman shall so notify the Secretary of State. Any vacancy on the board for any reason shall be filled for the unexpired term in the manner of the original appointment.

**SECTION 3. Meetings and compensation.**—Upon appointment of the board, the Auditor shall immediately call a meeting of its membership. The board shall meet at least once a month and more often as directed by the chairman or upon written request of at least two members of its board. Four members shall constitute a quorum. As compensation, the appointed members shall receive three hundred dollars per year, plus mileage at seven cents per mile.

**SECTION 4. Powers and duties.**—The board shall:

a. Within ninety days of its appointment recommend to the County Board of Commissioners of Georgetown County for employment a private commercial advisory firm experienced and technically trained in scientifically based assessment standards relating to the taxable property in the county;

b. Within ninety days after its appointment recommend to the County Board of Commissioners for employment a competent firm experienced in mapping for appraisal and assessment purposes both urban and rural property, which firm shall prepare tax maps showing all of the real property in Georgetown County;

c. Within ninety days after the completion of the assessment standards referred to in subsection (a) hereof, to recommend to the Board of County Commissioners for employment a competent firm, experienced in appraising and assessing both urban and rural property, to do such evaluation and appraising as may be necessary to provide an equal assessment of all real property within the county; provided that the same firm, if properly qualified, may be employed to render all of the services mentioned in subsections (a), (b) and (c) hereof;

d. Cooperate with the South Carolina Tax Commission, and see that the firm or firms employed under subsections (a), (b) and (c) hereof does likewise, in evaluating and assessing any taxable property in the county which the Tax Commission is authorized to assess;

e. Employ a tax assessor who shall be specially trained and experienced in tax assessing techniques, principles of taxation and the latest standards used in evaluating property for tax purposes;

f. Take steps to see that all necessary measures are taken to place all taxable property on the tax books;

g. See that the tax system is kept up-to-date by tax map revisions, and by routine periodic reassessments, and to adjust the system from time to time to reflex shifting or changing values of such property;

h. Until 1965 assess only property not heretofore on the tax books, or property which value may have changed by reason of renovation, new construction, destruction, or type of use;

i. Not reassess any taxable property in the county except as authorized in subsection (g) until 1965, in and for which year the assessments authorized by this act shall become effective;

j. Have authority to promulgate rules and regulations for the enforcement of this act which when duly promulgated shall have full force and effect of law.

**SECTION 5. Duties of tax assessors.**—The duties of tax assessor shall be set forth by the Board of Assessors.

**SECTION 6. To act as board of equalization.**—Until January 1, 1965, the board created by this act shall meet on or before the first day of April of each year and act as a board of equalization. At the completion of its duties as a board of equalization it shall continue with its duties as Board of Assessors.

**SECTION 7. Appeals.**—Appeals from the board of equalization shall be made to the present board of tax appeals until January 1, 1965, at which time the board of tax appeals as now constituted shall be abolished.

**SECTION 8. Appeals further.**—After January 1, 1965, appeals from the tax assessor shall be made to the board of tax assessors, acting as the board of appeals.

**SECTION 9. Termination of present board.**—The terms of office of the present Board of Assessors are terminated as of thirty days from date of this act.

**SECTION 10. Tax districts to be unchanged.**—The tax districts in existence on the effective date of this act shall remain unchanged until January 1, 1965.

**SECTION 11. Appropriations.**—The County Board of Commissioners of Georgetown County is hereby authorized to appropriate such funds as it may seem sufficient to carry out the purpose of this act.

**SECTION 12. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R130, H1315)

**No. 69**

**An Act To Create The Richland County Historic Preservation Commission, And To Prescribe Its Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Richland County Historic Preservation Commission created.**—There is hereby created and established the Richland County Historic Preservation Commission, hereinafter referred to as the Commission, with such duties, powers and authority as herein provided.

**SECTION 2. To be corporate body.**—The Commission is hereby declared to be a body politic and corporate and shall exercise and enjoy all the rights and privileges of such and be subject to the rules and regulations herein imposed.

**SECTION 3. Members — appointments — terms — officers — compensation.**—The Commission shall be composed of six resident electors of the county to be appointed by the Governor upon the recommendation of a majority of the Richland County Legislative Delegation, including the Senator. The Mayor and City Council of the City of Columbia may recommend two members and the Board of Trustees of the Historic Columbia Foundation, Inc., may recommend two members to the Richland County Legislative Delegation. The

members shall serve for terms of five years and until their successors are appointed and qualify, except that the first appointments shall be as follows: two for five years, one for four years, one for three years, one for two years, and one for one year. The duration of their respective terms shall be determined by lot.

Immediately upon the appointment of the Commission, it shall organize by electing one of its number as chairman, a second as vice-chairman, and a third as secretary. The officers of the Commission shall hold office for terms of one year and until their successors shall be chosen and qualify. It shall be the duty of the Commission to see that a record of the appointees to the Commission shall be filed in the clerk of court's office in Richland County, so as to indicate the persons holding office as members of the Commission and the duration of their respective terms. No member of the Commission shall receive any compensation for his services as a member of the Commission. Membership on the Commission shall not be construed to be an office of honor or profit.

**SECTION 4. Powers.**—The Commission shall be empowered as follows:

- (1) To sue and be sued.
- (2) To adopt, use and alter a corporate seal.
- (3) To contract with others in furtherance of its purposes and to charge admission fees to its facilities.
- (4) To make bylaws for the management and regulation of its affairs.
- (5) To acquire, own, hold in trust, preserve, restore, maintain, suitably mark, develop, advertise, and operate buildings and structures of historic significance, and the land upon which the same may be situate, in Richland County, and to receive funds, grants, donations and appropriations for the accomplishment of these purposes.
- (6) To prescribe rules and regulations governing the use of the facilities.
- (7) To appoint agents, employees and servants, to prescribe their duties, to fix their compensation, to determine if and to what extent they shall be bonded for the faithful performance of their duties.
- (8) To authorize and create advisory committees and special memberships and societies in furtherance of its purposes.

**SECTION 5. Exempt from taxes.**—All property of the Commission shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency, direct or indirect.

**SECTION 6. Audit.**—The Commission shall conduct its affairs on the fiscal year basis employed by Richland County. As shortly after the close of its fiscal year as may be practicable an audit of its affairs shall be made by a certified public accountant of good standing, to be designated by the Commission. Copies of such audit, incorporated into an annual report of the Commission, shall be filed with the Senator from Richland County, the secretary of the house delegation from Richland County and in the office of the clerk of court for the county.

**SECTION 7. Contracts not to be impaired.**—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the operation of any otherwise lawful contract made by the authority pursuant to any power conferred by this act.

**SECTION 8. Powers—Columbia may participate.**—The City of Columbia is authorized to participate in the functions of the Commission. The Commission shall have power and authority to borrow money and to mortgage or pledge its real and personal property; provided, that it shall not have the power to assume any obligation or incur any indebtedness binding upon the State of South Carolina or Richland County.

**SECTION 9. Action may be taken at any meeting.**—Any action required of the Commission may be taken at any meeting of the Commission, regular or special, and at such meeting a majority of the members of the Commission shall constitute a quorum for the purpose of transacting the business of the Commission.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1963.

(R131, H1338)

## No. 70

**An Act To Provide For The Issuance Of Construction Permits In Edgefield County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Construction permits required in Edgefield County.**—It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars, in Edgefield County, unless an application has been filed with and a permit granted by the county auditor or tax assessor for such construction or improvement; *provided*, that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

**SECTION 2. Application forms.**—The auditor shall prepare and furnish the tax assessor the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permit.**—The auditor or tax assessor shall issue the permit upon the applicant's paying a fee of one dollar which shall be paid to the county treasurer for deposit in the general fund of the county. The permit shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the tax assessor.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish copies of permits.**—Every municipality in the county, requiring permits for construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the auditor and tax assessor copies of all permits issued by the municipality.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Electricity not to be furnished without building permits.**—It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R133, H1365)

**No. 71**

**An Act To Amend Section 65-1890 Of The 1962 Code, Relating To The Tax Board Of Appeals For Williamsburg County, And To Add New Sections 65-1890.1 And 65-1890.2 To The 1962 Code, So As To Provide A Tax Reassessment Board And A Tax Board Of Appeals For Williamsburg County And To Provide A Per Diem For Members Of The Board Of Equalization, The Board Of Tax Reassessment And The Tax Board Of Appeals For Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Sec. 65-1890, 1962 Code, amended — Tax Reassessment Board created for Williamsburg County—powers and**

**duties.**—Section 65-1890 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-1890. There is hereby created a Tax Reassessment Board for Williamsburg County which shall consist of five members who shall be appointed by the Legislative Delegation of Williamsburg County from the members of the Williamsburg County Board of Equalization for terms to be determined by the legislative delegation. The Auditor of Williamsburg County shall be an ex officio member and shall act as its chairman. The board shall:

(1) Within sixty days after the appointment of its members recommend to the Legislative Delegation of Williamsburg County for employment as a tax assessor a person who shall be specially trained in tax assessing, technical principles of taxation and the latest standards used in evaluating property for tax purposes. The person appointed tax assessor by the Williamsburg County Legislative Delegation shall receive such compensation as shall be provided annually in the Williamsburg County Appropriations Act;

(2) Cooperate with the South Carolina Tax Commission and obtain information and assistance from it in evaluating and assessing all taxable real property;

(3) Take all necessary measures to place all taxable real property on the tax books and assure that all property shall be placed thereon at the same percentage of valuation;

(4) Commence as soon as practicable to appraise all real property in Williamsburg County at its actual value; and

(5) Promulgate rules and regulations to insure that all property is fairly and equally assessed.

Any person aggrieved by the valuation of the Tax Reassessment Board may appeal to the Williamsburg County Board of Equalization which shall have the power to adjust any inequities in assessment.”

**SECTION 2. 1962 Code amended—Sec. 65-1890.1 added—Tax Board of Appeals created for Williamsburg County.**—The 1962 Code is amended by adding Section 65-1890.1 to read as follows: “Section 65-1890.1. There shall be a Tax Board of Appeals for Williamsburg County which shall consist of five competent persons who shall be appointed by the Governor upon the recommendation of the Williamsburg County Legislative Delegation. The members of the Tax Board of Appeals shall serve for a term of four years. It shall elect a chairman and such other officers as it may deem nec-

essary. Any person aggrieved by a decision of the Williamsburg County Board of Equalization may appeal to the Tax Board of Appeals which shall correct any assessment inequitably made."

**SECTION 3. 1962 Code amended—Sec. 65-1890.2 added—compensation.**—The 1962 Code is amended by adding Section 65-1890.2 to read as follows:

"Section 65-1890.2. Members of the Board of Equalization, the Tax Reassessment Board and the Tax Board of Appeals of Williamsburg County shall receive a per diem of ten dollars for each day they are required to meet and mileage as provided by law."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R136, H1304)

## No. 72

**An Act To Amend Section 47-1581 Of The 1962 Code Relating To The Salaries Of The Mayor And Aldermen Of The City Of Georgetown, So As To Authorize An Increase In Such Salaries.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Sec. 47-1581, 1962 Code, amended—compensation of mayor and aldermen for City of Georgetown.**—Section 47-1581 of the 1962 Code is amended by striking the words "one thousand" in line three and inserting the words "three thousand six hundred" and by striking the words "three hundred and sixty" in line four and inserting the words "one thousand eighty", so that when amended the section shall read as follows:

"Section 47-1581. The city council of the city of Georgetown may fix the compensation of the mayor and aldermen of the city, not, however, in excess of three thousand six hundred dollars per annum in the case of the mayor or one thousand eighty dollars per annum in the case of each alderman."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

(R137, S158)

## No. 73

**AN ACT TO REPEAL CHAPTER 6 OF TITLE 61 OF THE 1962 CODE, RELATING TO INSURANCE AND ANNUITY BENEFITS OF PEACE OFFICERS, AND TO AMEND ACT NO. 799 OF 1962 WHICH PROVIDES FOR A POLICE OFFICERS' RETIREMENT SYSTEM, SO AS TO INCLUDE ADDITIONAL OFFICERS UNDER THE PROVISIONS THEREOF OR UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Chapter 6, Title 61, 1962 Code, repealed—transfer of Police Insurance and Annuity Fund to S. C. Police Officers' Retirement System.**—(1) Chapter 6 of Title 61 of the 1962 Code, providing for the Police Insurance and Annuity Fund, is repealed as of June 30, 1963.

(2) The Police Insurance and Annuity Fund shall be terminated as of June 30, 1963 and no business shall be transacted in the name of, or in behalf of, such fund except as may be deemed necessary by the State Budget and Control Board to carry out the provisions hereof.

(3) As soon as practicable after June 30, 1963, and in no event later than September 30, 1963, the total assets of the Police Insurance and Annuity Fund shall be transferred to the South Carolina Police Officers' Retirement System established under the provisions of Act No. 799 of 1962.

(4) The State Auditor is hereby authorized to undertake forthwith such review and analysis of the total assets of the Police Insurance and Annuity Fund, in cooperation with the Board of Commissioners of such fund, as he may deem necessary to assure the prompt completion of the transfer set forth in Item (3) of this section.

(5) All retirement allowances otherwise payable to police officers retired under such fund and in force on June 30, 1963, and all death benefits otherwise payable on account of such retired police officers, shall become payable under the South Carolina Police Officers' Retirement System effective as of July 1, 1963; *provided*, that each such allowance shall be reduced by four dollars per month, representing the monthly amount of the dues each such retired police officer would otherwise have been required to pay, directly or indirectly, to such fund. For the purpose of payment of such allowances and such death

benefits under the system, there is hereby appropriated from the General Fund of the State for the fiscal year July 1, 1963 to June 30, 1964 the sum of three hundred seventy-five thousand dollars, to be paid monthly on warrants approved by the system. Appropriations for this purpose shall hereafter be made annually in the General Appropriations Act.

(6) Notwithstanding anything herein to the contrary, the following provisions shall apply with respect to, and only to, any political subdivision, agency or department of the State which, on or before June 30, 1963, shall have been admitted as an employer under the South Carolina Police Officers' Retirement System. For each calendar month in the year July 1, 1962 to June 30, 1963 for which such employer shall have paid employer contributions, such employer shall be exempt from remitting to the Board of Commissioners of the Police Insurance and Annuity Fund the monthly amount otherwise required to be remitted from fines imposed and collected or from appearance bonds forfeited and collected. Such exemption shall be for the sole purpose of eliminating the duplication of cost to any such employer which would otherwise occur if such remittances and such employer contributions were required for the same calendar month. The State Budget and Control Board shall, either before or after completion of the transfer set forth in Item (3) of this section, cause to be made such adjustments as it shall find necessary in the employer contributions payable to the South Carolina Police Officers' Retirement System by any such employer in order that such purpose shall be achieved equitably with respect to each such employer.

(7) If a police officer is a participant in the Police Insurance and Annuity Fund at the termination of the fund as of June 30, 1963, and if he is then in the service of a political subdivision, agency or department of the State which has not then become an employer under the system, he shall be entitled to a refund of his aggregate contributions previously made by him to the fund. Such refund shall be made as promptly as possible following his application therefor and he shall not be entitled to any other credit or benefit on account of his participation in the fund nor shall he be a member of the system while his refund is being processed. Furthermore, he shall become a member of the South Carolina Retirement System as of July 1, 1963; *provided*, he is in the service of a political subdivision participating as an employer in such Retirement System, but without credit for any service rendered prior to July 1, 1963; *provided*, further, that if such

political subdivision has on or before July 1, 1963 established for its police officers a pension fund in which he is eligible, or required, to participate he shall be subject to the terms and provisions of such pension fund and shall not become a member of the South Carolina Retirement System as of July 1, 1963 unless such pension fund so permits or requires.

**SECTION 2. Item (1), Section 4 of Act 799 of 1962, amended—applications received between January 1 and July 1, 1963.**—Item (1) of Section 4 of Act No. 799 of 1962 is amended by adding at the end thereof the following:

“Notwithstanding the foregoing, in the case of any application so received on or after January 1, 1963 but prior to July 1, 1963, the requested date of admission may be July 1, 1962, or June 30, 1963, or any intervening first day of a calendar month; if the requested date of admission is June 30, 1963 or earlier, then (a) credit for service rendered prior to July 1, 1962 shall be granted, but subject to the terms and conditions of Section 5 of this act, to any police officer who becomes a member as of the requested date of admission and who was, immediately prior to his becoming a member, a participant in an other fund, and (b) no contributions by the member or his employer shall be required for the period, if any, from July 1, 1962 to such requested date of admission, no credit shall be granted for service rendered during such period, and any contributions previously made by the member for such period to an other fund shall be refunded to him. In no event shall credit be granted for any service rendered by a member prior to his becoming a member unless he becomes such on or before June 30, 1963.”

**SECTION 3. Item (3), Section 4 of Act 799 of 1962, amended—requirements for membership after July 1, 1963.**—Item (3) of Section 4 of Act No. 799 of 1962 is amended by adding at the end thereof the following:

“Notwithstanding the foregoing, no person shall become a member on or after July 1, 1963 unless his employer certifies to the system that his service as a police officer will require at least one thousand six hundred hours per year of active duty and that his salary for such service will be at least two thousand dollars per year. If in any year subsequent to such certification the member does not render at least one thousand six hundred hours of active duty as a police officer, or if he does not receive at least two thousand dollars in salary, his mem-

bership shall cease and the provisions of Section 5 (2) and Section 10 of this act shall apply."

**SECTION 4. Section 4 of Act 799 of 1962, amended—Item (7) added—certain employees may transfer to S. C. Retirement System.**—Section 4 of Act No. 799 of 1962 is amended by adding a new subsection which shall read as follows:

"(7) Notwithstanding any other provision to the contrary, any member who shall have become such on or before June 30, 1963 may, if his employer is also an employer under the South Carolina Retirement System, request in writing received by the system not later than June 30, 1963 that his membership in the system shall cease and that his contributions previously made to the system be transferred to the South Carolina Retirement System, in which event his credited service in the system shall be recognized in the South Carolina Retirement System for the sole purpose of determining his eligibility for any benefit thereunder for which he may subsequently apply. Such transfer shall be irrevocable and the State Budget and Control Board shall establish such rules as it may deem necessary to assure that each transferring officer is treated equitably hereunder."

**SECTION 5. Item (1), Section 5 of Act 779 of 1962, amended—credited service of members.**—Item (1) of Section 5 of Act No. 779 of 1962 is amended by striking it out and inserting in lieu thereof the following:

"(1) The credited service of a member shall include all service as a police officer rendered to an employer since he last became a member and in respect of which he made contributions to the system. It shall also include, in the case of a member (a) who became such on or before June 30, 1963 and (b) who remained a member continuously thereafter until his death or his retirement under the system and (c) who was, immediately prior to his becoming a member, a participant in an other fund, service which was credited to him under such other fund, except for the period, if any, from July 1, 1962 to the date of admission requested by his employer; *provided*, that within two months of the date of his membership, he shall have caused the amount of his full contributions made under such other fund in respect of such service to be transferred to the system."

**SECTION 6. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1963.

(R140, S226)

**No. 74**

**An Act To Amend Section 65-1884 Of The 1962 Code, Relating To The County Board Of Assessors And Equalization Of McCormick County, So As To Increase The Terms Of Office Of The Members Of The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-1884, 1962 Code, amended—McCormick County Board of Assessors and Equalization—members—terms—duties—compensation.**—Section 65-1884 of the 1962 Code is amended by striking out the second sentence and inserting in lieu thereof: "The members appointed shall serve for terms of two years and until their successors are appointed and qualify. They shall be appointed during the month of March."

The section when amended shall read as follows:

"Section 65-1884. The Governor, upon the recommendation of the legislative delegation from McCormick County, shall appoint a county board of assessors to consist of twenty-one taxpayers of McCormick County. The members appointed shall serve for terms of two years and until their successors are appointed and qualify. They shall be appointed during the month of March. The men who shall compose the county board of assessors and equalization of McCormick County shall be selected so that each section of the county shall have representation on the board.

The board shall be charged with the duty and responsibility of fairly and justly equalizing all of the property of McCormick County and shall make every effort to see that all property is properly assessed for the purpose of taxation. Before assuming his duties as a member of the board, each member shall take an oath that he will fairly and impartially assess and equalize property values for the purpose of taxation, which oath shall be filed in the office of the clerk of court for McCormick County.

Each member of the board so appointed shall receive the sum of fifty dollars per year for his services rendered in the capacity of tax assessor for the county."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R141, H1090)

**No. 75**

**An Act To Ratify An Amendment To Section 2 Of Article XI Of The Constitution Of South Carolina, 1895, Which Further Provides For A State Board Of Education.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article XI, Section 2, State Constitution, ratified—State Board of Education—composition of.**—The amendment to Section 2 of Article XI of the Constitution of South Carolina, 1895, proposed under the terms of Act 992 of the Acts of 1962, having been submitted to the qualified electors in a manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so that, when amended, Section 2 of Article XI of the Constitution of South Carolina, 1895, shall read as follows :

"Section 2. There shall be a State Board of Education composed of one member from each of the judicial circuits of the State. The members shall be elected by the legislative delegations of the several counties within each circuit for terms and with such powers and duties as may be provided by law, and shall be rotated among the several counties."

Ratified the 20th day of March, 1963.

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(R142, H1192)

**No. 76**

**An Act To Amend Section 46-657.1 Of The 1962 Code, Relating To Length And Height Of Vehicles, So As To Allow Drive-Away**

**Motor Vehicle Carriers With No More Than Two Saddle Mounts And Truck-Away Motor Vehicle Carriers To Be Sixty Feet In Length.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 46-657.1, 1962 Code, amended—exemptions for certain motor vehicle transports.**—Section 46-657.1 of the 1962 Code is amended by adding at the end thereof the following:

*“Provided, further, that a combination of vehicles coupled together or especially constructed to transport motor vehicles in a truck-away or drive-away service may have a maximum length of sixty feet if no more than two saddle mounts are towed.”*

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1963.

(R143, H1278)

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**No. 77****An Act To Amend Section 4-664, Code Of Laws Of South Carolina, 1962, Which Provides The Gross Weight Of Vehicles And Loads On The Public Highways Of The State, So As To Set Forth New Provisions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 4-664, 1962 Code, amended—maximum gross weight of vehicles.**—Section 4-664, Code of Laws of South Carolina, 1962, which provides the gross weight of vehicles and loads on the public highways of the State, is amended by striking out the section in its entirety and inserting in lieu thereof the following, which shall be Section 4-664:

*“Section 4-664. The gross weight of a vehicle or combination of vehicles shall not exceed the following:*

- (a) Single unit vehicles with two axles . . . . . 32,000 lbs.
- (b) Single unit vehicles with three axles or more . . . 46,000 lbs.
- (c) Combination of vehicles with three axles . . . . . 50,000 lbs.
- (d) Combination of vehicles with four axles . . . . . 65,000 lbs.
- (e) Combination of vehicles with five or more axles . . 73,280 lbs.

*Provided, that the gross weight imposed upon the highway by two*

or more consecutive axles in tandem articulated from a common attachment to the vehicle, and spaced not less than 40" nor more than 96" apart, shall not exceed 36,000 lbs., and no one axle of any such group of two consecutive axles shall exceed the load permitted for a single axle.

*Provided*, further, that the load imposed on the highway by two consecutive axles, individually attached to the vehicle and spaced not less than 40" nor more than 96" apart, shall not exceed 36,000 lbs. and no one axle of any such group of two consecutive axles shall exceed the load permitted for a single axle; and *provided*, further, that no vehicle with a tandem axle weight in excess of 32,000 lbs. shall be operated or moved upon any highway or section of highway in the interstate system unless and until the 32,000 lbs. tandem axle limitation imposed by Title 23, United States Code Section 127, is amended or repealed."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of March, 1963.

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(R147, H1331)

**No. 78**

**An Act To Prohibit The Recording Of A Deed, Mortgage Or Other Writing Involving Real Estate In The Office Of The Clerk Of Court Of Lexington County That Does Not Contain An Accurate Description And School District Or Township Wherein The Property Is Located.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lexington County—recording of certain deeds or mortgages.**—No deed, mortgage or other writing involving real estate shall be recorded in the office of the Clerk of Court of Lexington County which does not contain an accurate description of the real estate concerned and its location in the county with reference to the school district or township wherein the property is situated.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R151, S187)

**No. 79**

**An Act To Amend Act No. 841 Of 1962, Which Appointed The Berkeley-Charleston-Dorchester Tri-County Committee For Technical Training, So As To Further Define The Powers And Functions Of The Agency.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it did heretofore, by Act No. 841 of 1962, create the Tri-County Committee of Technical Training in order to establish a public agency of a local nature which would enable the Counties of Berkeley, Charleston and Dorchester to participate in and to receive the benefits of the program instituted by the General Assembly by the provisions of Article 7, Chapter 15, Title 21, of the 1962 Code. The public agency therein named the Tri-County Committee of Technical Training has been duly appointed as provided by Act No. 841 and has entered upon the duties therein committed to it.

The General Assembly finds that it is desirable (in the interest of general uniformity) to change the name of the agency so created and to further define the powers and functions of the agency. It proposes to effect such changes through amendments to Act No. 841 of 1962.

**SECTION 2. Sections 1 through 4 of Act 841 of 1962 amended—Area Commission created for Berkeley-Charleston-Dorchester-Technical Education Center—powers and duties—records and audit—budget.**—Act No. 841 of 1962 is amended by striking Sections 1 through 4 and inserting in lieu thereof the following:

“Section 1. In order that there may be a local agency of the sort contemplated by Article 7, Chapter 15, Title 21, of the 1962 Code, to participate in and receive the benefits of the program contemplated thereby for the Counties of Berkeley, Charleston and Dorchester, there is hereby created the Area Commission for the Berkeley-Charleston-Dorchester-Technical Education Center (the Area Commission). The Area Commission shall have the functions and duties hereafter set forth in this act. The Area Commission shall be comprised of nine members—three of whom shall be qualified electors of Berkeley, Charleston, and Dorchester Counties, respectively. The members from each county shall be appointed by the Governor upon the recommendation of a majority of the legislative delegations of the respective counties. Of the initial appointees one member from each county shall have a term of one year, one from each county

shall have a term of two years, and one from each county shall have a term of three years. Upon the expiration of the initial terms, successors shall be appointed in the manner hereinabove provided for terms of three years. All members shall hold office until their successors shall have been appointed and shall have qualified. In the event of a vacancy, a successor shall be appointed in the manner of original appointments for the remainder of the term for which the vacancy shall be filled. The Area Commission shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. The Area Commission shall thenceforth meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the legislative delegation from the Counties of Berkeley, Charleston and Dorchester.

“Section 2. There is hereby committed to the Area Commission the function of promoting the program contemplated by Article 7, Chapter 15, Title 21, of the 1962 Code in and for the Counties of Berkeley, Charleston and Dorchester, and without in any way limiting the generality of the foregoing it shall be empowered as follows:

- (1) To adopt and use a corporate seal.
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (3) To acquire an appropriate site and to construct and equip thereon appropriate facilities, in accordance with standards and specifications contemplated by Section 21-703(1), of the 1962 Code.
- (4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
- (5) To accept gifts, grants, donations, devises and bequests.
- (6) To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.
- (7) To provide the necessary administrative services required by the State program.
- (8) To employ such personnel as may be necessary to enable the Area Commission to fulfill its functions.
- (9) To establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities.
- (10) To operate its affairs on a fiscal year beginning on July first in each year and ending on June thirtieth of the succeeding calendar year.

(11) To expend any funds received in any manner consistent with their approved budget, including the proceeds derived from any bonds issued by Berkeley, Charleston and Dorchester Counties to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds for the operation, maintenance and improvement of the facilities.

(12) To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.

(13) To exercise all powers contemplated for local agencies by Article 7, Chapter 15, Title 21, of the 1962 Code.

"Section 3. The Area Commission shall at all times keep full and accurate accounts of its acts and of its receipts and expenditures, and at least once within four months following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be delivered to the legislative delegations and governing agencies of Berkeley, Charleston and Dorchester Counties.

"Section 4. The Area Commission shall submit a budget for the ensuing fiscal year on or before February fifteenth of each year for approval by each of the respective legislative delegations from Berkeley, Charleston and Dorchester Counties."

**SECTION 3. Present members not to be affected.**—The provisions of this act shall not in any manner disturb the appointments heretofore made pursuant to Act No. 841 of 1962.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R152, H1043)

No. 80

**An Act To Change The Name Of The South Carolina Industrial School To The South Carolina School For Boys.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Name of S. C. Industrial School changed.**—The name of the South Carolina Industrial School is hereby changed to the South Carolina School for Boys.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R153, H1230)

**No. 81**

**An Act To Amend Sections 46-95, 46-95.2, And 46-95.4 Of The 1962 Code, Relating To Special License Plates For Amateur Radio Operators, So As To Further Provide Therefor; And To Repeal Section 46-95.3 Of The 1962 Code.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 46-95, 1962 Code, amended—issuance of special license plates to amateur radio operators.**—Section 46-95, Code of Laws of South Carolina, 1962, is amended by adding after the word “dollar” on line 6 the words “in addition to the regular motor vehicle registration fee prescribed by Article 3 of this Chapter,” so that, when so amended, it shall read as follows :

“Section 46-95. The Department may issue special motor vehicle license plates to persons who hold unrevoked and unexpired amateur radio licenses of a renewable nature issued by the Federal Communications Commission, for private passenger vehicles registered in the same name. The annual fee for such special license plates shall be one dollar in addition to the regular motor vehicle registration fee prescribed by Article 3 of this Chapter, and only one set of such special plates shall be issued to any person.”

**SECTION 2. Section 46-95.2, 1962 Code, amended—size and design of plates.**—Section 46-95.2, Code of Laws of South Carolina, 1962, is amended by striking out the last sentence which reads, “They shall be in addition to the regular motor vehicle license plates provided for in this Chapter,” so that, when so amended, it shall read as follows :

“Section 46-95.2. The special license plates shall be of the same size and general design of regular motor vehicle license plates, upon which shall be imprinted the official amateur radio call letters of such persons as assigned by the Federal Communications Commission. Such special plates shall be for annual periods from November first to October thirty-first.”

**SECTION 3. Section 46-95.4, 1962 Code, amended—certain plates may be transferred—unlawful use.**—Section 46-95.4, Code of Laws of South Carolina, 1962, is amended by striking on lines two and three “registered in the name of” and inserting in lieu thereof “of the same weight class owned by,” so that, when so amended, it shall read as follows:

“Section 46-95.4 Special license plates issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made therefor and approved by the Department. It shall be unlawful for any person to whom such special license plates have been issued to knowingly permit such plates to be displayed on any vehicle except the one authorized by the Department. If the amateur radio license of a person holding a special license plate issued pursuant to this article shall be cancelled or rescinded by the Federal Communications Commission, such person shall immediately return the special license plate to the Department.”

**SECTION 4. Section 46-95.3, 1962 Code, repealed.**—Section 46-95.3, Code of Laws of South Carolina, 1962, is repealed.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R155, H1382)

**No. 82**

**An Act To Authorize The Clerk Of The Court Of Probate For Charleston County To Perform Certain Additional Duties.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Additional duties for Clerk of Court of Probate for Charleston County.**—Without limiting or impairing the jurisdiction, duties and authority of the Judge, the Clerk of the Court of Probate for Charleston County is authorized to perform the following duties in addition to those already imposed upon him by law.

To execute and issue:

(a) all certificates of administration, administrator, executor, general guardian, committee, or testamentary trustee;

(b) all certifications pertaining to, and certified copies of, wills, all probate court records, and statements or stipulations pertaining thereto;

(c) warrants of appraisement in decedent estates pertaining to the appointment of appraisers and their inventory and return;

(d) and provide for the publication of the citation required prior to the appointment of an administrator;

(e) realty index forms, pertaining to the devise or descent of real estate in decedent estates, and to provide for the filing thereof in the R. M. C. Office and with the county auditor;

(f) marriage licenses.

And to:

(g) prepare and execute all forms as required by insurance companies for the payment of insurance benefits in connection with estates being processed and administered pursuant to Section 19-555 of the 1962 Code;

(h) examine, vouch, and approve uncontested accountings filed in common form, exclusive of the formal adjudication thereof; and

(i) execute and submit requisitions and claim warrants pertaining to supplies and material necessary for probate court operations.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R158, S186)

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### No. 83

**An Act To Repeal Sections 33-1671, 33-1672, 33-1673 And 33-1674, Code Of Laws Of South Carolina, 1962, Affecting The Supervisor And Certain Highways Of Greenville County, Which Sections Have Become Obsolete.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Sections 33-1671 through 33-1674, 1962 Code, repealed.**—Sections 33-1671, 33-1672, 33-1673 and 33-1674 of the Code of 1962, affecting the supervisor and certain highways of Greenville County, having become obsolete, are repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

(R160, H1111)

**No. 84**

**An Act To Amend The 1962 Code By Adding New Section 70-475.1 So As To Give Colleton County The Same Rights As The City Of Walterboro Relative To Diverting Water From The Edisto River.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 70-475.1 added—Colleton County may divert water from Edisto River.**—The 1962 Code is amended by adding new Section 70-475.1 to read as follows: "Section 70-475.1. All of the rights given to the City of Walterboro by this article are also conferred upon Colleton County; *provided*, that both political subdivisions may jointly or separately exercise the rights conferred in this article, but in no event shall the diversion exceed the maximum amount as provided in this article.

*Provided*, further, that the diversion granted by this act shall not interfere with the Commissioners of Public Works of the City of Charleston obtaining eighty million gallons per day through the two existing intakes at Givhans.

In the event the diversion granted by this act reduces the amount of water available through the existing intakes below eighty million gallons per day, Colleton County or the City of Walterboro, or both, will reduce their diversion granted under this act so that eighty million gallons per day can be obtained. The existing intakes will be maintained in good working condition and the trash racks kept clear.

*Provided*, further, that in case further diversions of flow from the Edisto River are authorized at any point above the intakes of the Charleston water supply tunnel, and curtailment of the diversions becomes necessary in order to protect the Charleston supply of eighty million gallons per day, as described above, the diversions authorized subsequent to the passage of this act shall be curtailed first and to such extent as may be necessary to protect the Charleston supply and the diversion authorized under this act."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

(R163, H1408)

**No. 85****An Act To Amend Sections 15-654 And 15-656 Of The 1962 Code, Relating To Original And Appellate Civil Jurisdiction Of The County Court of Greenville County, So As To Increase The Jurisdiction.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-654, 1962 Code, amended — County Court of Greenville County—civil jurisdiction.**—Section 15-654 of the 1962 Code is amended by striking on lines five and seven the word “ten” and inserting in lieu thereof the word “fifteen” so that, when so amended, the section shall read as follows :

“Section 15-654. The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and equity, except that its jurisdiction shall not extend to actions at law for the recovery of money only when the amount demanded in the complaint exceeds fifteen thousand dollars or to actions at law for the recovery of specific real and personal property when the value of such property exceeds fifteen thousand dollars. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to divorce from the bonds of matrimony, if one of the parties to the action has been a resident of the county for one year or more prior to the filing of the summons and complaint thereof.”

**SECTION 2. Section 15-656, 1962 Code, amended—appellate civil jurisdiction.**—Section 15-656 of the 1962 Code is amended by striking on lines six, eight and twelve the word “ten” and inserting in lieu thereof the word “fifteen” so that, when so amended, the section shall read as follows :

“Section 15-656. The county court shall have appellate jurisdiction concurrent with the court of common pleas to hear and determine appeals :

(1) From the probate court, except that such jurisdiction shall not extend to issues required to be heard de novo before a jury when the amount involved exceeds fifteen thousand dollars or in case of issue of will or no will when the appraised value of the estate concerned as shown by the records of the probate court exceeds fifteen thousand dollars ;

(2) From preliminary boards or commissions in condemnation proceedings, except that such jurisdiction shall not extend to proceedings required to be heard de novo before a jury when the value or the claimed value of the property concerned exceeds fifteen thousand dollars;

(3) From the South Carolina Industrial Commission or other administrative boards or bodies within the State; and

(4) From judgments rendered by the magistrates' courts.

The proceedings on such appeals shall be as is now provided for appeals from the last-mentioned tribunals to the court of common pleas."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

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(R165, S227)

**No. 86**

**An Act To Require That All Lands Discovered In Dillon County To Be Without Ownership To Be Carried In The Name Of The County Forfeited Land Commission.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lands in Dillon County without owners to be carried in name of Forfeited Land Commission.**—All lands discovered by the tax assessors of Dillon County to be without ownership shall be carried on all county records in the name of the Forfeited Land Commission of Dillon County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

(R166, S233)

## No. 87

**An Act To Provide For Building Permits In Dorchester County And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Building permits required in Dorchester County.**

—Before any person constructs any new building or any addition to an existing building in Dorchester County, which construction shall cost five hundred dollars or more, he shall obtain from the Auditor of Dorchester County, or any magistrate designated by the auditor, a building permit which shall be executed before any construction shall be commenced. No charge shall be made for such building permits; *provided*, that no permit shall be required for such construction upon real estate situate within any incorporated municipality which requires a permit for the erection or construction of such improvements.

**SECTION 2. Applications.**—The auditor shall prepare application forms which shall show information to be of assistance to the office of the auditor in locating the real estate on which such improvements are due to be made and in checking tax returns. Such information shall include: (a) School District; (b) Name of owner of real estate; (c) Name of road or rural route and box number; (d) Estimated cost of construction; (e) Use to be made of improvements; and (f) Approximate completion date.

**SECTION 3. Auditor may inspect buildings.**—The auditor shall have the right to inspect premises and buildings or improvements when completed.

**SECTION 4. Penalties.**—Any person violating any provision of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed fifty dollars.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

(R167, S234)

**No. 88****An Act Requiring The Filing And Recording Of Commissions Or Documents Of Authority Of Persons Holding Office In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Dorchester County officials to file commissions.—**

Every person elected or appointed to an office in Dorchester County or a subdivision thereof shall, within thirty days after qualifying for such office, file with the clerk of court for recording a copy of his commission or other document of authority.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R168, S239)

**No. 89****An Act To Provide That The Magistrates In Hampton County Shall Serve Terms Of Four Years.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of Hampton County magistrates.**—Notwithstanding the provisions of Section 43-1 of the 1962 Code, terms of office of Magistrates in Hampton County shall be four years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R169, S240)

**No. 90****An Act To Provide That The Magistrates In Union County Shall Serve Terms Of Four Years.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of Union County magistrates.**—Notwithstanding the provisions of Section 43-1 of the 1962 Code, terms of office of Magistrates in Union County shall be four years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R170, H1027)

**No. 91**

**An Act To Amend Section 12-759 Of The 1962 Code, Relating To Powers Of Certain Eleemosynary Corporations Created Prior To 1900, So As To Extend Such Powers To Certain Other Eleemosynary Corporations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 12-759, 1962 Code, amended—powers of certain corporations.**—Section 12-759 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 12-759. All charitable, social and religious corporations created by Legislative Authority prior to the year 1900 shall, in addition to the powers theretofore granted them, have all the powers enumerated in Section 12-758.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R172, H1140)

**No. 92**

**An Act To Validate Certain Instruments Recorded In This State, To Eliminate The Requirement Of Seals On Instruments Hereafter Recorded, And To Amend Section 49-12 Of The 1962 Code, Relating To Foreign Notaries Public, So As To Eliminate The Requirement Of Affixing Seals.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain recorded instruments validated.**—Any instrument heretofore or hereafter recorded in this State, which does not have affixed the impressed seal of the authorized officer who administered the oath or affirmation contained therein, shall be valid and constitute notice as though such impressed seal were affixed.

**SECTION 2. Section 49-12, 1962 Code, amended—effect of verifications of foreign notaries public.**—Section 49-12 of the 1962 Code is amended by deleting “if such notary public shall use his official seal”, so that when amended the section shall read as follows: “Section 49-12. All verifications of pleadings, affidavits and proofs of claims made before notaries public in other states shall have the same force and effect as they would have if sworn to before a commissioner of deeds for this State resident in another state.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R173, H1144)

**No. 93**

**An Act To Amend Section 28-334 Of The 1962 Code, Relating To Open And Closed Seasons For Hunting In Game Zone No. 2 So As To Further Provide For The Hunting Of Rabbits.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (6), Section 28-334, 1962 Code, amended—rabbit season for Game Zone 2.**—Item 6 of Section 28-334 of the 1962 Code is amended by striking the word “first” on line 2 and inserting in lieu the word “fifteenth”, so that when so amended the item will read as follows:

“(6) The open season for hunting rabbits shall be from Thanksgiving Day to February fifteenth of each year, but rabbits may be hunted without guns and with dogs only from September first to Thanksgiving Day of each year.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R174, H1236)

**No. 94**

**An Act To Amend Section 28-536 Of The 1962 Code, Relating To The Open Season On Pen-Raised Game In Certain Game Zones,**

**So As To Include Game Zone No. 7 Under The Provisions Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-536, 1962 Code, amended—season for pen-raised game in certain game zones.**—Section 28-536 of the 1962 Code is amended by striking the following on line two, “and No. 6” and inserting in lieu thereof “, No. 6 and No. 7”. The section when amended shall read as follows:

“Section 28-536. In Game Zones No. 1, No. 2, No. 3, No. 4, No. 6 and No. 7, within the boundaries of shooting preserves licensed by authority of this section, the open season on all types of pen-raised game shall be from October first of any year to April first of the following year. The provisions of this section are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R175, H1314)

**No. 95****An Act To Provide When Shad May Be Caught With Nets In Game Zone No. 6 In The Savannah River.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Season for netting shad in Game Zone 6 in Savannah River.**—It shall be lawful to use nets for catching shad in Game Zone No. 6 in the Savannah River from noon on Monday through noon on Wednesday and from noon on Friday through midnight Saturday during the open shad season. *Provided*, no net shall exceed two hundred lineal feet in length.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

(R176, H1318)

## No. 96

**An Act To Authorize Gifts Of The Human Anatomy Or Parts Thereof To The Board For The Distribution Of Dead Bodies; To Prescribe The Procedure Therefor And the Rights, Duties And Liabilities Of The Parties To The Gifts.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Gifts of dead bodies to be by written instrument.**

—Every person of full age and sound mind, by written instrument, may give all or any part of his anatomy to the board for the distribution of dead bodies as established in Section 9-501 of the 1962 Code. The part of the donor's anatomy shall be used for the purpose specified in the instrument. If no purpose is specified, then the board may use it in any manner authorized in Chapter 6 of Title 9 of the 1962 Code.

**SECTION 2. Instrument to be witnessed.**—The written instrument shall be signed by the donor in the presence of two competent witnesses and the execution thereof shall be acknowledged before any person who is authorized to take acknowledgments within this State.

**SECTION 3. Probate court to retain instrument.**—The written instrument shall be deposited and retained on file in the probate court of the county wherein the donor resides. Duplicate originals of such instrument may be given to such other persons as the donor may choose.

**SECTION 4. Claiming of body.**—Upon the death of the donor, the board or its agent may claim the body and may cause to be removed from the donor that portion of his anatomy given the board; *provided*, that the board or its agent shall use reasonable care in removing that portion of the anatomy so donated to avoid undue mutilation of the body. The board will cooperate with the surviving spouse or next of kin in carrying out satisfactory religious services.

**SECTION 5. Revocation of gift.**—The gift of any person of all or a portion of his anatomy made pursuant to the provisions of this act may be revoked by the donor by demanding return to him of the written instrument of gift, and any duplicate originals thereof, from the board or person in possession of same, or by written instrument executed and filed in the same manner as the original gift.

**SECTION 6. Liability of board.**—The board and any person authorized by it to remove the portion of any donor's anatomy, given as provided in this act, shall not be liable for damages in any civil suit for the removal of the part so given unless the gift has been revoked in the manner prescribed by this act.

**SECTION 7. Liability of others.**—Any person, who delivers or permits the removal of all or any portion of the donor's anatomy or who fails to deliver or permit the removal of all or any portion of the donor's anatomy, shall not be liable in any manner unless he has actual knowledge of the gift or its revocation.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

(R179, S60)

### No. 97

#### An Act To Amend Section 26-12, Of The 1962 Code, Relating To The Mortuary Table, So As To Change The Table.

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 26-12, 1962 Code, amended—mortuary table.**—Section 26-12, of the 1962 Code, is amended by deleting the Mortuary Table and by inserting the following table:

| <i>"Age</i> | <i>Expectancy</i> | <i>"Age</i> | <i>Expectancy</i> |
|-------------|-------------------|-------------|-------------------|
| 0 .....     | 68.30             | 10 .....    | 59.58             |
| 1 .....     | 67.78             | 11 .....    | 58.65             |
| 2 .....     | 66.90             | 12 .....    | 57.72             |
| 3 .....     | 66.00             | 13 .....    | 56.80             |
| 4 .....     | 65.10             | 14 .....    | 55.87             |
| 5 .....     | 64.19             | 15 .....    | 54.95             |
| 6 .....     | 63.27             | 16 .....    | 54.03             |
| 7 .....     | 62.35             | 17 .....    | 53.11             |
| 8 .....     | 61.43             | 18 .....    | 52.19             |
| 9 .....     | 60.51             | 19 .....    | 51.28             |

| <i>"Age</i> | <i>Expectancy</i> | <i>"Age</i> | <i>Expectancy</i> |
|-------------|-------------------|-------------|-------------------|
| 20 .....    | 50.37             | 55 .....    | 19.71             |
| 21 .....    | 49.46             | 56 .....    | 18.97             |
| 22 .....    | 48.55             | 57 .....    | 18.23             |
| 23 .....    | 47.64             | 58 .....    | 17.51             |
| 24 .....    | 46.73             | 59 .....    | 16.81             |
| 25 .....    | 45.82             | 60 .....    | 16.12             |
| 26 .....    | 44.90             | 61 .....    | 15.44             |
| 27 .....    | 43.99             | 62 .....    | 14.78             |
| 28 .....    | 43.08             | 63 .....    | 14.14             |
| 29 .....    | 42.16             | 64 .....    | 13.51             |
| 30 .....    | 41.25             | 65 .....    | 12.90             |
| 31 .....    | 40.34             | 66 .....    | 12.31             |
| 32 .....    | 39.43             | 67 .....    | 11.73             |
| 33 .....    | 38.51             | 68 .....    | 11.17             |
| 34 .....    | 37.60             | 69 .....    | 10.64             |
| 35 .....    | 36.69             | 70 .....    | 10.12             |
| 36 .....    | 35.78             | 71 .....    | 9.63              |
| 37 .....    | 34.88             | 72 .....    | 9.15              |
| 38 .....    | 33.97             | 73 .....    | 8.69              |
| 39 .....    | 33.07             | 74 .....    | 8.24              |
| 40 .....    | 32.18             | 75 .....    | 7.81              |
| 41 .....    | 31.29             | 76 .....    | 7.39              |
| 42 .....    | 30.41             | 77 .....    | 6.98              |
| 43 .....    | 29.54             | 78 .....    | 6.59              |
| 44 .....    | 28.67             | 79 .....    | 6.21              |
| 45 .....    | 27.81             | 80 .....    | 5.85              |
| 46 .....    | 26.95             | 81 .....    | 5.51              |
| 47 .....    | 26.11             | 82 .....    | 5.19              |
| 48 .....    | 25.27             | 83 .....    | 4.89              |
| 49 .....    | 24.45             | 84 .....    | 4.60              |
| 50 .....    | 23.63             | 85 .....    | 4.32              |
| 51 .....    | 22.82             | 86 .....    | 4.06              |
| 52 .....    | 22.03             | 87 .....    | 3.80              |
| 53 .....    | 21.25             | 88 .....    | 3.55              |
| 54 .....    | 20.47             | 89 .....    | 3.31              |

| <i>"Age</i> | <i>Expectancy</i> | <i>"Age</i> | <i>Expectancy</i> |
|-------------|-------------------|-------------|-------------------|
| 90 .....    | 3.06              | 95 .....    | 1.80              |
| 91 .....    | 2.82              | 96 .....    | 1.51              |
| 92 .....    | 2.58              | 97 .....    | 1.18              |
| 93 .....    | 2.33              | 98 .....    | .83               |
| 94 .....    | 2.07              | 99 .....    | .50"              |

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1963.

(R180, S107)

### No. 98

**An Act To Amend Sections 58-1438 And 58-1439 Of The 1962 Code, As Amended, Relating To The License Fees Required Of Motor Vehicle Carriers To Obtain Class D, E And F Certificates, So As To Reduce Such License Fees.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Sections 58-1438 and 58-1439, 1962 Code, amended—fees to be reduced.**—Sections 58-1438 and 58-1439 of the 1962 Code, as amended, are further amended by adding at the end of each section the following new paragraph:

"The above schedule of fees shall be reduced by fifty per cent, commencing July 1, 1963."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1963.

(R181, S113)

### No. 99

**An Act To Exempt Property Of Lancaster Lodge No. 1646 Of The Loyal Order Of Moose From Taxation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lancaster Lodge No. 1646 of the Loyal Order of Moose exempt from taxes.**—All property of the Lancaster Lodge

No. 1646 of the Loyal Order of Moose shall be exempt from state, county and municipal taxation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R182, S241)

**No. 100**

**An Act To Exempt Property Of The Lake View Recreation Corporation, Inc. In Dillon County From School And County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lake View Recreation Corporation exempt from taxes.**—The property of Lake View Recreation Corporation, Inc. in Dillon County is hereby exempted from all school and county taxes.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R184, H1286)

**No. 101**

**An Act To Amend Act 967 Of 1962, Providing For The Appointment Of The York County Committee For Technical Training, So As To Change The Name Of The Agency, To Provide For The Appointment Of One Of Its Members, And To Further Define Its Powers And Functions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly—appointment of member.**—The General Assembly created, by Act 967 of 1962, the York County Committee for Technical Training in order to establish a public agency of a local nature which would enable York County to participate in and receive the benefits of the program instituted by Article 7, Chapter 15, Title 21 of the 1962 Code. The

public agency, therein named the York County Committee for Technical Training, has been duly appointed as provided by the act and has entered upon the duties therein committed to it.

The General Assembly finds that it is desirable (in the interest of general uniformity) to change the name of the agency and to further define its powers and functions. It proposes to effect such changes through amendments to Act 967 of 1962. These amendments shall not in any manner affect or disturb the appointment of members of the committee, including ex officio members, made prior to the effective date of this act or the appointment of any successors to the original appointees made prior to the effective date of this act. The Governor shall appoint Dr. Arnold E. Brown to fill the unexpired portion of the term of Mr. Baxter D. Huntley, who has resigned.

**SECTION 2. Section 1 of Act 967 of 1962 amended—York County Commission for Technical Education created.**—Section 1 of Act 967 of 1962 is amended by striking it out and inserting in lieu thereof the following:

“Section 1. In order that there may be a local agency of the sort contemplated by Article 7, Chapter 15, Title 21, of the 1962 Code, to participate in and receive the benefits of the program contemplated thereby for York County, there is hereby created the ‘York County Commission for Technical Education’ (hereinafter referred to as the ‘commission’), which shall be a body politic and corporate and which shall have the functions and duties hereafter set forth. The commission shall be comprised of nine members who shall be appointed by the Governor upon the recommendation of a majority of the York County Legislative Delegation for regular terms of four years. All members shall hold office until their successors shall have been appointed and shall have qualified. In the event of a vacancy, a successor shall be appointed in the manner aforesaid to fill the unexpired term. The commission shall meet as soon after appointment as practicable and shall organize by electing a chairman and such other officers as it deems necessary. Thereafter the commission shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the York County Legislative Delegation.”

**SECTION 3. Section 2 of Act 967 of 1962 amended—powers and duties.**—Section 2 of Act 967 of 1962 is amended by striking it out and inserting in lieu thereof the following:

"Section 2. There is hereby committed to the commission the function of promoting the program contemplated by Article 7, Chapter 15, Title 21, of the 1962 Code, in and for York County and without in any way limiting the generality of the foregoing, shall be empowered as follows:

- (1) To adopt and use a corporate seal.
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (3) To acquire an appropriate site and to construct and equip thereon appropriate facilities in accordance with the standards and specifications set forth by the Advisory Committee for Technical Training.
- (4) To acquire by gift, purchase, or otherwise, all kinds and descriptions of real and personal property.
- (5) To accept gifts, grants, donations, devises and bequests.
- (6) To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.
- (7) To provide the necessary administrative services required by the State program.
- (8) To employ such personnel as may be necessary to enable the commission to fulfill its functions.
- (9) To establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities.
- (10) To operate its affairs on a fiscal year beginning on July first in each year and ending on June thirtieth of the succeeding calendar year.
- (11) To expend any funds received in any manner, including the proceeds derived from any bonds issued by York County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds for the operation, maintenance and improvement of the facilities.
- (12) To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.
- (13) To exercise all powers contemplated for local agencies by Article 7, Chapter 15, Title 21, of the 1962 Code."

**SECTION 4. Section 3 of Act 967 of 1962 amended—annual accounting—borrowing.**—Section 3 of Act 967 of 1962 is amended by striking it out and inserting in lieu thereof the following:

“Section 3. The commission shall make its local accounting annually in the same manner as school districts.

The commission shall be considered an operating unit under the general laws governing the lending of funds for capital improvements by the State Educational Finance Commission.”

**SECTION 5. Section 4 of Act 967 of 1962 amended—budget—tax levy.**—Section 4 of Act 967 of 1962 is amended by striking on line one the word “committee” and inserting “commission”. The section when amended shall read as follows:

“Section 4. The commission shall submit a budget to the legislative delegation on or before March first of each year. If a majority of the legislative delegation shall approve the budget, the Auditor of York County shall levy and the treasurer shall collect a tax sufficient to provide the necessary funds for the administration of this act upon all taxable property in York County.”

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R185, H1381)

**No. 102**

**An Act To Amend Section 15-282 Of The 1962 Code, As Amended, Relating To The Terms Of Court In The Twelfth Circuit, So As To Further Provide For Terms In Marion County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Subsection (2) of Section 15-282, 1962 Code, amended—terms of court for Marion County.**—Subsection (2) of Section 15-282 of the 1962 Code, as amended, is further amended by striking it in its entirety and inserting in lieu thereof the following:

“(2) Marion County.—The court of general sessions for Marion County shall be held at Marion on the third Monday in February, on the third Monday in April, on the third Monday in June, and on the third Monday in October, in each case for one week. The court of common pleas for the county shall be held at Marion on the fourth Monday in February for one week, on the third Monday in March for one week, on the first Monday in May for one week, on the second Monday in May for one week, on the fourth Monday

in June for one week, on the third Monday in September for one week, on the fourth Monday in September for one week and on the fourth Monday in November for two weeks. *Provided*, that at the terms commencing on the fourth Monday in February and on the fourth Monday in June equity and non-jury matters shall be disposed of before the trial of jury matters.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R186, H1393)

**No. 103**

**An Act To Amend Section 21-926 Of The 1962 Code, Relating To The Levying Of Taxes For School Purposes In Marion County, So As To Increase The Amount Which May Be Levied.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-926, 1962 Code, amended—Marion County—tax levy for schools.**—Section 21-926 of the 1962 Code is amended on line 7, by striking “thirty-five” and inserting in lieu thereof “forty-five”. The section when amended shall read as follows: “Section 21-926. Upon presentation on or before July first of any year of a certified copy of a resolution by a majority of the board of trustees of any school district in Marion County approved by a majority of the county legislative delegation to the auditor of the county directing the auditor so to do, the auditor shall levy taxes for school purposes in accordance with such resolution, not to exceed forty-five mills. An additional county-wide tax of three mills shall be levied in Marion County for the purpose of equalizing the teaching load in the elementary schools of Marion County.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

(R190, H1421)

**No. 104**

**An Act To Amend Sections 65-253 And 65-271 Of The 1962 Code, Relating To Income Taxes, So As To Exclude From Gross Income The Value Of Divested Stock And To Provide For A Substituted Basis With Respect To Divested Stock.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-253, 1962 Code, amended—items not included in gross income.**—Section 65-253 of the 1962 Code is amended by adding a new subsection which shall read as follows:

“(7) The value of divested stock, as defined in Section 1111 (e) of the Federal Internal Revenue Code of 1954, as amended, distributed to the taxpayer.”

The section, when amended, shall read as follows:

“Section 65-253. The words ‘gross income’ do not include the following items, which shall be exempt from taxation under this chapter:

(1) The proceeds of life insurance policies and contracts paid upon the death of the insured to individual beneficiaries or to the estate of the insured;

(2) The amount received by the insured as a return of premium or premiums paid by him under life insurance, endowment or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon surrender of the contract;

(3) The value of property acquired by gift, bequest, devise or descent (but the income from such property shall be included in gross income);

(4) Interest upon obligations of the United States or its possessions or of this State or any political subdivision thereof;

(5) The rental value of a dwelling house and appurtenances thereof furnished a minister of the gospel as part of his compensation;

(6) Any amounts received through accident or health insurance or under workmen’s compensation acts, as compensation for personal injuries or sickness, plus the amount of any damage received whether by suit or agreement on account of such injuries or sickness; and

(7) The value of divested stock, as defined in Section 1111 (e) of the Federal Internal Revenue Code of 1954, as amended, distributed to the taxpayer.”

**SECTION 2. Section 65-271, 1962 Code, amended—basis for determination of gain or loss.**—Section 65-271 of the 1962 Code is amended by adding a new paragraph which shall read as follows:

“In the case of a distribution of divested stock excluded from gross income under Section 65-253, the basis of the stock with respect to which the distribution was received shall be allocated between such stock and the divested stock in proportion to their respective fair market values immediately after the distribution.”

The section, when amended, shall read as follows:

“Section 65-271. Except as otherwise provided in this chapter, for the purpose of ascertaining the gain or loss from the sale or other disposition of property, real, personal or mixed, the basis shall be, in the case of property acquired before January 1, 1921, the fair market value of such property as of that date, in the case of property acquired by inheritance the fair market value at the date of death of the decedent, in the case of property acquired by gift the basis in the hands of the donee shall be the basis to the donor, and in all other cases the basis shall be the cost of such property except that in the case of property which was included in the last preceding annual inventory used in determining net income in a return under this chapter such inventory value shall be taken in lieu of cost or market value. *Provided*, that such basis shall be increased by the cost of any improvements not otherwise deducted from income and decreased by any depreciation or depletion allowed or allowable under Section 65-259 (8), except that such basis shall not be reduced to an amount less than zero.

In the case of a distribution of divested stock excluded from gross income under Section 65-253, the basis of the stock with respect to which the distribution was received shall be allocated between such stock and the divested stock in proportion to their respective fair market values immediately after the distribution.”

**SECTION 3. Time effective.**—This act, upon approval by the Governor, shall be effective for distributions made after January 1, 1962.

Approved the 3rd day of April, 1963.

(R191, H1427)

**No. 105**

**An Act To Provide That The Provisions Of Chapter 28 Of Title 56 Of The Code Of Laws Of South Carolina, 1962, Relating To The South Carolina Real Estate Commission, Shall Apply To Oconee County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain real estate laws applicable to Oconee County.**—The provisions of Chapter 28 of Title 56 of the 1962 Code shall apply to Oconee County and any person who has been engaged as a real estate broker, counselor, real estate salesman, appraiser or property manager in the county for one year next preceding the effective date of this act, and has for such a period of one year or more been engaged actively in such business, may secure a license from the South Carolina Real Estate Commissioner without examination, provided that such person shall make application therefor as provided by Chapter 28 of Title 56 of the Code of 1962 within ninety days after the effective date of this act.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R193, S140)

**No. 106**

**An Act To Amend Section 28-882.1 Of The 1962 Code, Relating To Setting Nets For The Catching Of Shad In Game Zone No. 5, So As To Extend The Time When Nets May Be Set.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-882.1, 1962 Code, amended—when unlawful to set shad nets in Game Zone 5.**—Section 28-882.1 of the 1962 Code is amended by striking on line 3 “until Saturday noon” and inserting in lieu thereof “until sundown Saturday” so that, when so amended, it shall read:

“Section 28-882.1. It shall be lawful to set nets for the catching of shad in Game Zone No. 5 from Tuesday noon until sundown Saturday during the open season.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 5th day of April, 1963.

(R194, S151)

**No. 107**

**An Act To Authorize The State Commission Of Forestry To Formulate Programs To Detect And Control Forest Pest Outbreaks In This State.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Purpose and intent of act.**—The purpose and intent of this act is to place with the State Commission of Forestry the authority and responsibility for action programs to detect and control forest pest outbreaks in South Carolina. The establishment of quarantine regulations and other actions to prevent the introduction into or the spread of introduced forest pests in South Carolina shall remain the responsibility of the State Crop Pest Commission, and the provisions of this act shall not abrogate or change any power or authority vested in the State Crop Pest Commission except as defined herein in regard to action programs to detect and control forest pests.

**SECTION 2. Definitions.** For the purpose of this act:

(a) "Forest Pest" means any insect, disease or closely related organism which is harmful, injurious, or destructive to forests or timber.

(b) "Forest Land" or "Forest" means land supporting a stand or potential stand of trees valuable for timber products, watershed or wildlife protection, recreational uses, or for other purposes.

(c) "Timber" includes forest trees standing or down, alive or dead, and shall include shade trees of any species around houses, along highways, within cities and towns, and any other locations which constitute insect and disease menaces to nearby timber trees or forests.

(d) "Control Zone" means an area of potential or actual forest pest outbreak with designated boundaries clearly described in a manner to definitely identify the zone.

(e) "Outbreak" means the existence of populations of a forest pest in such proportions as to threaten forests or timber and the benefits derived from them.

(f) "Action Programs" shall mean those programs which are necessary to detect, control, suppress or eradicate forest pests which are in outbreak proportion.

**SECTION 3. Duties of Forestry Commission concerning forest pest outbreaks.**—Whenever a forest pest outbreak is suspected, the State Commission of Forestry shall make surveys and observations, consulting with the State Crop Pest Commission's technical personnel for assistance with evaluation of pest populations and survey data. If the State Commission of Forestry determines that a forest pest outbreak exists and control measures are deemed necessary, it shall:

(a) Establish a control zone, and designate and clearly describe the boundaries.

(b) Give notice to all affected forest landowners within the control zone of the existence of the control zone and the actions to be taken under this act.

(c) Be responsible for surveys in conjunction with the determined action programs.

**SECTION 4. Powers.**—Whenever the State Commission of Forestry determines that a forest pest outbreak cannot be or is not being controlled by the forest landowners in the control zone, the State Commission of Forestry is authorized to:

(a) Take necessary measures to control the forest pest.

(b) Procure necessary equipment, supplies and services to control, suppress, or eradicate the forest pest.

(c) Enter into agreements with the United States Forest Service or other federal or state agencies, corporations, and others to carry out the provisions of this act.

**SECTION 5. Authority to enter property.**—The State Commission of Forestry or its authorized agents shall have the power to go upon any land in the State to investigate, take measures to control, suppress, or eradicate forest pests. If any person refuses to allow the State Commission of Forestry or its agents to go upon his land to carry out the purposes of this act, or interferes with the investigation and control of forest pests, the State Commission of Forestry may apply to any court of competent jurisdiction for an injunction or other appropriate means to restrain the person from interfering with the State Commission of Forestry or its agents.

**SECTION 6. Dissolution of control zones.**—When the State Commission of Forestry determines that pest control work within

an established control zone is no longer necessary or feasible, the State Commission of Forestry shall dissolve the zone.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R195, S182)

**No. 108**

**An Act To Amend Section 32-1640.2 Of The 1962 Code, Relating To Suspension, Revocation Or Denial Of Renewal Of Licenses To Certain Persons Dealing In Dairy Products, So As To Provide For An Alternative Monetary Penalty And For The Method Of Imposition And Collection Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 32-1640.2, 1962 Code, amended—suspension, revocation or denial of renewal of licenses.**—Section 32-1640.2 of the 1962 Code is amended by striking the word “such” on line four and inserting the word “a”, and is further amended by adding at the end thereof the following: “*Provided*, however, that the State Dairy Commission may in its discretion, in lieu of revoking or suspending a license, assess a penalty against the offending licensee for such violation, after notice and hearing as above set out, in the amount of ten dollars per day for each and every day during which the violation occurs and continues, each day’s violation of any law, order, rule or regulation constituting a separate offense. If such penalty is assessed and be not paid, the State Dairy Commission is authorized to revoke the license and to apply to any court of competent jurisdiction for the enforcement of the collection of the penalty. Any funds collected hereunder shall be paid as are assessments collected under Section 32-1631.” The section, when so amended, shall read as follows:

“Section 32-1640.2. The Commission may, upon due notice and opportunity for hearing, suspend, revoke or decline to renew a license issued pursuant to the provisions of Sections 32-1637 to 32-1640.1 for any market or markets when it has been determined by the Commission that a licensee has either directly or indirectly, in the conduct of his business within such market or markets, violated any

of the provisions of this article or any rule, regulation or order issued pursuant thereto, after being given an opportunity to comply with such provisions. *Provided*, however, that the State Dairy Commission may in its discretion, in lieu of revoking or suspending a license, assess a penalty against the offending licensee for such violation, after notice and hearing as above set out, in the amount of ten dollars per day for each and every day during which the violation occurs and continues, each day's violation of any law, order, rule or regulation constituting a separate offense. If such penalty is assessed and be not paid, the State Dairy Commission is authorized to revoke the license and to apply to any court of competent jurisdiction for the enforcement of the collection of the penalty. Any funds collected hereunder shall be paid as are assessments collected under Section 32-1631."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R196, S193)

**No. 109**

**An Act To Amend Section 10-1533 Of The 1962 Code, Relating To Judgment By Default In An Action For Claim And Delivery, So As To Authorize Judgment By Default Without Taking Testimony.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 10-1533, 1962 Code, amended—judgment by default when action brought in claim and delivery.**—Section 10-1533 of the 1962 Code is amended by striking on lines 5 and 6 the following: "as other default judgments" and inserting in lieu thereof "for possession of property only without proof by the taking of testimony", so that when amended the section shall read as follows: "Section 10-1533. Whenever an action is brought in claim and delivery in any court in this State judgment may be given for the plaintiff by default and without a jury for the property in question or the value thereof as set forth in the complaint. And such judgment by default may be taken at chambers or in open court for possession of property only without proof by the taking of testimony."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R197, S238)

**No. 110**

**An Act To Amend Section 15-1311.8 Of The 1962 Code, Relating To The Jurisdiction Of The Juvenile And Domestic Relations Court Of Lexington County, So As To Broaden The Jurisdiction And Powers Of The Court.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1311.8, 1962 Code, amended—jurisdiction of court.**—Section 15-1311.8 of the 1962 Code is amended by adding at the beginning thereof the following: "In addition to the jurisdiction and powers conferred on the court established by this chapter, it shall have and exercise the jurisdiction and powers conferred on the family court division of a juvenile and domestic relations court as set forth in Sections 15-1221 to 15-1276." The section when amended shall read as follows:

"Section 15-1311.8. In addition to the jurisdiction and powers conferred on the court established by this chapter, it shall have and exercise the jurisdiction and powers conferred on the family court division of a juvenile and domestic relations court as set forth in Sections 15-1221 to 15-1276. The court shall also have jurisdiction over adoption proceedings and the jurisdiction conferred on domestic relations courts by Sections 20-311 to 20-340, known as the 'Uniform Reciprocal Enforcement of Support Act.'"

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R198, S248)

**No. 111**

**An Act To Provide That The Magistrates In Berkeley County Shall Serve Terms Of Four Years.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of Berkeley County Magistrates.**—Notwithstanding the provisions of Section 43-1 of the 1962 Code, terms of office of Magistrates in Berkeley County shall be four years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R199, S259)

**No. 112**

**An Act To Amend Section 2-224 Of The 1962 Code, As Amended, Relating To The Anderson County Airport Commission, So As To Make Further Provision For The Powers Of The Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 2-224.2(f), 1962 Code, amended—powers and duties.**—Section 2-224.2 (f) of the 1962 Code is amended to read as follows:

“(f) To rent, lease, mortgage or sell any real or personal property in its care, to borrow money secured by assignments and pledges of income, and to use all funds so procured to carry out the purposes for which the commission was established. Any document executed pursuant to the powers of this subsection shall have endorsed thereon the written approval of a majority of the members of the county legislative delegation.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

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(R200, H1006)

**No. 113**

**An Act To Ratify The Amendment To Paragraph (a) Of Section 4 Of Article II Of The Constitution Of This State, Relating To Residence Requirements For Suffrage, So As To Lower The Residence Requirements.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Section 4(a), Article II, State Constitution, ratified—residential voting requirements.**—The amendment to Paragraph (a), Section 4, Article II, of the Constitution of South Carolina, 1895, proposed under the terms of Act 991 of the Acts of 1962, having been submitted to the qualified electors at the general election in 1962, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that, when amended, Paragraph (a), Section 4, Article II, of the Constitution of South Carolina, 1895, shall read as follows :

“(a) Residence in the State for one year, in the county for six months, and in the polling precinct in which the elector offers to vote for three months; *provided*, that ministers in charge of an organized church and teachers of public schools and the spouse of any such person shall be entitled to vote after six months’ residence in the State, otherwise qualified.”

Ratified April 3, 1963.

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(R205, S261)

**No. 114**

**An Act To Amend Section 21-3202 Of The 1962 Code, As Amended, So As To Further Provide For The Terms Of Office Of The County Board Of Education Of Lancaster County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3202, 1962 Code, amended—terms of board members.**—Section 21-3202 of the 1962 Code, as amended, is amended by adding at the end of Section 1 the following :

“The terms of all members of the County Board of Education of Lancaster County shall expire on April 15, 1963 and the new members shall be appointed initially for the following terms: Indian Land and Waxhaw for two years; Gills Creek, one for two years and one for four years; Pleasant Hill, one for two years and one for four years; Cane Creek for three years; Flat Creek for four years; Buford for three years; and Cedar Creek for three years.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R206, S266)

**No. 115**

**An Act To Amend The Code Of 1962 By Adding New Section 14-400.772.1, So As To Make It Unlawful For Any Electric Energy Supplier To Provide Service To Any Building In Colleton County Unless The Law Relating To Building Certificates Has Been Complied With.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 14-400.772.1 added—unlawful to furnish electricity without building certificate.**—The Code of 1962 is amended by adding new Section 14-400.772.1 which shall read as follows:

“Section 14-400.772.1. It shall be unlawful for any electric energy supplier to furnish electricity to any building in Colleton County until a building certificate has been filed with the Auditor of Colleton County if such is required by law.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R207, S267)

**No. 116**

**An Act To Create An Office For Civil Defense For Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Civil Defense office created for Saluda County.**—There is hereby created an office for Civil Defense for Saluda County which shall have the responsibility of establishing an emergency preparedness plan for natural disasters and national emergencies, of insuring preparedness of the county to adequately deal

with such disasters, and of providing for the common defense and protection of public peace, health, safety of lives and property of the county. The county legislative delegation, including the Senator, shall select a County Civil Defense Director. The director may employ such personnel as needed to carry out the responsibilities of his office. The director shall be directly responsible to the county legislative delegation and shall furnish them a quarterly report of the activities and progress of the Civil Defense Program in Saluda County. All officials and employees of Saluda County shall cooperate and assist in carrying out the responsibilities of the established Civil Defense plan for Saluda County. Any person serving in a volunteer capacity in a Civil Defense emergency shall have the same immunities as employees or officials of Saluda County while performing similar duties during times of emergency.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

(R208, S269)

**No. 117**

**An Act To Provide For Building Permits In Florence County And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Florence County.**—Any person before constructing a new building or making additions, alterations or repairs to an existing building in Florence County, where the cost exceeds one thousand dollars, shall obtain a permit from any magistrate or the county auditor.

The permit shall be furnished without cost and shall be in the following form:

“No. ....

Florence County Building Permit

Owner .....

Address .....

Cost of Repairs or Construction .....\$.....

Nature of Construction .....

.....

Intended Use .....

.....

Issuing Official

.....

Title "

*Provided*, any person obtaining a permit from a municipality shall be exempt from the provisions of this act.

**SECTION 2. Issuance of.**—The permits shall be in triplicate, the original to be delivered to the owner of the premises, the duplicate to be filed in the office of the auditor, and the triplicate to be retained by the issuing officer.

**SECTION 3. Penalties.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars or be imprisoned for not more than ten days.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

(R209, S270)

## No. 118

### **An Act To Create The Office Of Civil Defense For Oconee County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Civil Defense office created for Oconee County.**—There is hereby created an office for Civil Defense for Oconee County which shall have the responsibility of establishing an emergency preparedness plan for natural disasters and national emergencies and to insure preparedness of the county to adequately deal with such disasters and provide for the common defense and protection of public peace, health and safety of lives and property of the county.

**SECTION 2. Director.**—The legislative delegation shall select a county director who is authorized to employ such additional personnel as needed to carry out the responsibilities of this office within the funds appropriated. The director shall be directly responsible to the county legislative delegation and shall furnish them a quarterly

report of the activities and progress of the Civil Defense program in Oconee County.

**SECTION 3. Duty of county employees—volunteers.**—All officials and employees of Oconee County shall cooperate and assist in carrying out the responsibilities of the established Civil Defense plan for Oconee County. Any person serving in a volunteer capacity in a Civil Defense emergency shall have the same immunities as employees or officials of Oconee County while performing similar duties during times of emergency.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R212, H1423)

**No. 119**

**An Act To Create The Newberry County Water Authority.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Newberry County Water Authority created—area—purpose.**—There is hereby created a body corporate and politic to be known as the Newberry County Water Authority, hereinafter sometimes referred to as the “Authority.” Its service area shall include all of Newberry County, excluding any area within an incorporated municipality. It shall be the function of the Authority to acquire supplies of fresh water, capable of being used for industrial and domestic purposes, and to distribute such water, in the manner herein provided, for industrial and domestic use within its service area. To that end, it shall be empowered to construct such reservoirs, diversion dams, impounding dams or dikes, canals, conduits, aqueducts, tunnels, water distribution facilities, water mains and water lines, as in the opinion of the Authority may be deemed necessary, and to acquire such land, rights of way, easements, machinery, apparatus and equipment as shall be deemed useful therefor.

**SECTION 2. Members — appointments — terms — vacancies.**—The Authority shall be composed of five members, who shall be resident electors of Newberry County and who shall be appointed

by the Governor, upon the recommendation of a majority of the members of the Newberry County Legislative Delegation. Of those originally appointed, two shall be appointed for terms of two years, two for terms of four years and one for a term of six years. Upon the termination of the terms of the original members, their successor shall be appointed by the Governor, in the same manner as is provided for the original appointment, for terms of six years. Any vacancy occurring by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment of the Governor in the same manner as is provided for the original appointment. All members of the Authority shall hold office until their successors shall have been appointed and shall have qualified.

**SECTION 3. Compensation.**—The members of the Authority shall receive no compensation, but may be reimbursed for any actual expenses incurred in connection with the business of the Authority.

**SECTION 4. Officers.**—The Authority shall convene and organize by electing one of their number as chairman, a second as vice-chairman, and a third as secretary. The terms of office of the foregoing officers of the Authority shall be for such period as the Authority shall determine in its bylaws.

**SECTION 5. Records of personnel.**—The secretary of the Authority shall from time to time file in the office of the Clerk of Court for Newberry County appropriate certificates showing the personnel of the Authority and the duration of the terms of the respective members.

**SECTION 6. Not to compete with existing systems—service area.**—To the end that the Authority shall not unduly compete with the existing publicly operated water systems in the county, the Authority shall not sell water to be used by persons or private corporations within the corporate limits of such municipalities or areas now served by municipalities without the consent of the municipal officers of such municipalities, nor shall it sell water elsewhere than in Newberry County, such county being hereby defined to be the service area of the Authority.

**SECTION 7. Powers and duties.**—The Authority shall be fully empowered to acquire, construct, operate, maintain, improve and

extend facilities which would enable it to obtain fresh water in large volume, and to distribute and sell the same, subject to the limitations set forth in Section 6 of this act, to persons, firms, corporations, municipal corporations, political divisions, and the United States Government, or any agencies thereof, at any point within its service area. To that end, the Authority shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To establish a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and water reservoirs.
- (8) To impound fresh water in lakes or reservoirs.
- (9) To build, construct, maintain and operate water distribution systems for the distribution of water for domestic or industrial use and from time to time enlarge and extend such systems.
- (10) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful to discharge the functions committed to the Authority by this article.
- (11) To accept gifts or grants of services, properties or moneys from the United States, or any of its agencies, under such conditions as the United States, or such agency shall prescribe.
- (12) Subject to the provisions of Section 6 of this act, to sell water for industrial or domestic use.
- (13) To prescribe rates and regulations under which water shall be sold for domestic and industrial use.
- (14) Subject to the provisions of Section 6 of this act, to enter into contracts for the sale of water, upon such terms as the parties thereto shall approve, with persons, private corporations, municipal corporations, public bodies, public agencies and with the United States Government or any agencies thereof.
- (15) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs or distribution systems.
- (16) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the Authority.

(17) To lease or sell and convey lands, or interests therein.

(18) To make use of county and State highway rights of way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(19) Subject always to the limitations of Section 4, Article VIII of the Constitution, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(20) To alter and change county and State highways wherever necessary in order that it may discharge the functions committed to it, in such manner and under such conditions as the appropriate officials in charge of such highways shall approve.

(21) To acquire, by purchase, gift, or through the exercise of eminent domain, all land, interests therein, easements, rights of way which the Authority shall deem necessary to enable it to full and adequately discharge all functions committed to it. The power herein granted shall be deemed to include the power to acquire protective areas of land adjacent to any of its facilities.

(22) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, of the 1962 Code, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(23) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(24) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(25) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improve-

ment thereto shall be fully in operation, and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the facilities. Neither the faith and credit of the State, nor of any county, municipality or political subdivision of the State shall be pledged for the payment of the principal and interest of the obligations and their shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the Authority nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all power granted by article 6, chapter 4, Title 59 of the 1962 Code, and by chapter 6, Title 59 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the Authority by such Code provisions, the Authority may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the Authority may:

(a) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(b) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the facilities, in accordance with and in the order of priority prescribed by the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities;

(c) Declare that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

This provision shall be deemed a part of the contract, insuring to the benefit of all holders or beneficiaries of its securities;

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve;

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve;

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount;

(g) Limit or prohibit free service to any person, firm, corporation, municipal corporation, or any subdivision or division of the State;

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given;

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

(26) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the Authority.

**SECTION 8. Rates not to be regulated.**—The rates charged for services furnished by the Authority shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

**SECTION 9. Property exempt from taxes.**—All property of the Authority shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 10. Fiscal year—audits.**—The Authority shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants, of good standing, to be designated by the Authority. Copies of such audits, incorporated into an annual report of the Authority, shall be filed in the office of the clerk of court for Newberry County, and with the Secretary of State.

**SECTION 11. Unlawful acts—penalties.**—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the facilities of the Authority, or any part of such facilities, or any machinery, apparatus or equipment of the Authority, or to pollute the water in any part of its service area, or to obtain water therefrom except in accordance with the regulations promulgated by the Authority. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the Authority.

**SECTION 12. Revenues.**—All revenues derived by the Authority from the operation of its facilities, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the Authority from time to time for purposes germane to the functions of the Authority, or in such other manner as the General Assembly may, by proper enactment, direct.

**SECTION 13. Contracts to purchase water.**—All municipalities, public bodies and public agencies operating water district systems in Newberry County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority, and to the contracting municipality, public body or public agency.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R215, H1441)

No. 120

**An Act To Amend Sections 21-2973, 21-2974, 21-2983 And 21-2985 Of The 1962 Code, Relating To School Budgets And Tax Millage Therefor In Hampton County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-2973, 1962 Code, amended—school district budgets.**—Section 21-2973 of the 1962 Code is amended by striking the word “last” on line 1 and by inserting in lieu thereof the word “first” and by striking the word “April” on line 1 and by inserting in lieu thereof the word “March” so that when amended the section shall read as follows:

“Section 21-2973. On or before the first day of March of each year, the district school board of each school district in Hampton County shall prepare a budget showing the amount of money which, in the judgment of the board, will be needed in the ensuing year for the maintenance, operation and support of all schools of the district. This budget shall be filed with the clerk of the school budget commission. In preparing its budget, the board of trustees of any district sending pupils to another district shall add an item for “Tuition Payment.”

**SECTION 2. Section 21-2974, 1962 Code, amended—when budget to be acted on.**—Section 21-2974 of the 1962 Code is amended by deleting the word “July” on line 2 and by inserting in lieu thereof the word “April” so that when so amended the section shall read as follows:

“Section 21-2974. The budget commission shall act on each school district budget request on or before April first of each year.”

**SECTION 3. Section 21-2983, 1962 Code, amended—school budget by county board of education.**—Section 21-2983 is amended by striking on line 1 the word “last” and inserting in lieu thereof the word “first” and by striking on line 1 the word “April” and inserting thereof the word “March” so that when amended the section shall read as follows:

“Section 21-2983. On or before the first day of March of each year the county board of education of Hampton County shall prepare a budget for the next school year including all items of expense, not provided for in the budgets of the various school districts nor provided for in county appropriation act and paid from county fund account. This budget shall be filed with the clerk of the school budget commission as provided for in Section 21-2973.”

**SECTION 4. Section 21-2985, 1962 Code, amended — tax levy when budget not approved on time.**—Section 21-2985 of the 1962 Code is amended by deleting the word “July” on line 1 and by inserting in lieu thereof the word “April”; by inserting the word “tax” between the words “the” and “year” on line 3; by deleting the words

"July first" on lines 3 and 4 and by inserting in lieu thereof the words "December thirty-first preceding" and by deleting the words "beginning July first" on line 6 and inserting in lieu thereof the words "last abstracted." The section when amended shall read as follows:

"Section 21-2985. Whenever budgets are not submitted and approved by April first of any year, according to the requirements of this article, the auditor of Hampton County may set the tax millage levy for the tax year beginning December thirty-first preceding for school purposes on the basis of the last previous budget on file in his office, with due regard and relation to the total assessed valuation of taxable property for the year last abstracted."

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R217, H1446)

**No. 121**

**An Act To Amend An Act Of The General Assembly Of 1963, Bearing Ratification No. 143, Which Provides The Gross Weight Of Vehicles And Loads On The Public Highways Of The State, So As To Correct An Error Appearing Therein.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Act 77 of 1963 amended—title corrected.**—An Act of the General Assembly of 1963, bearing Ratification No. 143, is amended by striking in the title the figures "4-664" and inserting in lieu thereof the figures "46-664", so that when so amended the title shall read as follows:

**"To Amend Section 46-664, Code of Laws of South Carolina, 1962, Which Provides The Gross Weight Of Vehicles And Loads On The Public Highways Of The State, So As To Set Forth New Provisions."**

**SECTION 2. Act 77 of 1963 amended—code section corrected—maximum gross weight of vehicles.**—An act of the General Assembly of 1963, bearing Ratification No. 143, is further amended by striking out in Section 1 of the act the figures "4-664" wherever these figures appear in Section 1 and inserting in lieu thereof the

figures "46-664", so that when so amended Section 1 shall read as follows:

"Section 1. Section 46-664, Code of Laws of South Carolina, 1962, which provides the gross weight of vehicles and loads on the public highways of the State, is amended by striking out the section in its entirety and inserting in lieu thereof the following, which shall be Section 46-664:

'Section 46-664. The gross weight of a vehicle or combination of vehicles shall not exceed the following:

- (a) Single unit vehicles with two axles. . . . . 32,000 lbs.
- (b) Single unit vehicles with three axles or more. . . . 46,000 lbs.
- (c) Combination of vehicles with three axles. . . . . 50,000 lbs.
- (d) Combination of vehicles with four axles. . . . . 65,000 lbs.
- (e) Combination of vehicles with five or more axles. 73,280 lbs.

*Provided*, that the gross weight imposed upon the highway by two or more consecutive axles in tandem articulated from a common attachment to the vehicle, and spaced not less than 40" nor more than 96" apart, shall not exceed 36,000 lbs., and no one axle of any such group of two consecutive axles shall exceed the load permitted for a single axle. *Provided*, further, that the load imposed on the highway by two consecutive axles, individually attached to the vehicle and spaced not less than 40" nor more than 96" apart, shall not exceed 36,000 lbs. and no one axle of any such group of two consecutive axles shall exceed the load permitted for a single axle; and *provided*, further, that no vehicle with a tandem axle weight in excess of 32,000 lbs. shall be operated or moved upon any highway or section of highway in the interstate system unless and until the 32,000 lbs. tandem axle limitation imposed by Title 23, United States Code Section 127, is amended or repealed."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

**An Act To Provide That Magistrates In Pickens County Shall Serve Terms Of Four Years.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of Pickens County magistrates.**—Notwithstanding the provisions of Section 43-1 of the 1962 Code, magistrates in Pickens County shall serve terms of four years. Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R222, S295)

**No. 123**

**An Act To Set The Terms Of Magistrates In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Richland County—when terms of present magistrates to expire.**—The terms of all magistrates presently holding office in Richland County shall expire on April 15, 1967.

**SECTION 2. When future terms to expire.**—The terms of all magistrates hereafter appointed in Richland County shall expire on the fifteenth day of April of each year following the year in which there shall be a general election in which there shall be no election for the office of President of the United States.

**SECTION 3. Terms — further.**—All magistrates, in Richland County upon the expiration of their terms, shall hold office until their successors are appointed and qualified.

**SECTION 4. Vacancies.**—Any vacancy occurring in the office of magistrate in Richland County shall be filled for the unexpired portion of the term.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R223, S263)

**No. 124**

**An Act To Amend Section 2-390.3 Of The 1962 Code, Relating To Powers And Duties Of The Richland-Lexington Airport**

**Commission, So As To Permit The Commission To Invest Its Funds In Certain Savings And Loan Associations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 2-390.3, 1962 Code, amended—funds may be invested in savings and loan associations.**—Section 2-390.3 of the 1962 Code is amended by adding a new item at the end thereof to read as follows :

“( ) Invest the funds or moneys in its possession, eligible for investment, in the shares of any federal savings and loan association or in the shares of any building and loan association organized and existing under the laws of this State when such shares are insured by the Federal Savings and Loan Insurance Corporation.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R224, S264)

**No. 125****An Act Making It Unlawful To Start Fires In Lee County Except Under Certain Conditions And Providing Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Unlawful to start fires in Lee County except under certain conditions.**—It shall be unlawful for any owner or lessee of land or any employee of any such owner or lessee or other person to start, or cause to be started, any fire on any woodlands, brushlands, grasslands, ditchbanks, or hedgerows or in any debris, leaves or other inflammable material adjacent thereto in Lee County, except under the following conditions :

(a) Proper notification shall be given to the State Forester, or his duly authorized representative or other persons designated by the State Forester. Records as to the date, place and expected time of such fire shall be maintained by the county wardens.

(b) Such persons shall have cleared around such area and have immediately available sufficient machinery and personnel to adequately secure such fire and prevent its spread.

(c) Such person starting such burning shall supervise carefully any such fire started and have it under control prior to leaving the area.

**SECTION 2. Permisson of landowner required.**—A lessee of any land, or any employee of any landowner or lessee of land, or other person, must receive prior authorization from any landowner to conduct such burning, in addition to complying with the other provisions of this act.

**SECTION 3. Exceptions.**—The provisions of this act shall not apply to fires which may be started within the corporate limits of any town or city, nor to fires started on rights of way of railroads by their duly authorized employees to remove fire hazards unless the State Forester, or his representative, after investigation shall notify such railroad that its practices are disapproved on account of the failure to exercise such safeguards against the spread of fire.

**SECTION 4. No burning during emergencies.**—No burning shall be carried out during any period during which the Governor has declared that an emergency exists in connection with forest fires.

**SECTION 5. Penalties.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days. For any second or subsequent offense a fine of not less than twenty-five dollars nor more than five hundred dollars or imprisonment for not more than one year may be imposed in the discretion of the court.

**SECTION 6. Time effective.**—This act shall take effect on July 1, 1963.

Approved the 18th day of April, 1963.

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(R225, S265)

No. 126

**An Act To Provide For The Appointment Of A Deputy Auditor And A Tax Board Of Appeals For Colleton County And To Define Their Duties.**

Whereas, it is necessary that Colleton County have an accurate return of taxable property; and

Whereas, the Legislative Delegation recognizes the need for a competent Field Auditor to aid in accomplishing this purpose; and  
Whereas, it is desired that a Tax Board of Appeals be provided the taxpayers of Colleton County; and  
Whereas, it is the desire of the delegation that the standard valuation of land be continued and further that the Auditor and Board of Appeals shall use as the basis of arriving at assessed valuation three per cent of the true value. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Deputy auditor may be appointed for Colleton County.**—A Deputy Auditor for Colleton County may be appointed by a majority of the treasurer, auditor, supervisor, superintendent of education, Senator and the member of the House of Representatives who shall be called the Field Auditor. He shall inspect tax returns, personal property, lands and buildings, and report his findings as to the true value of personal property and buildings and the accuracy of tax returns to the Auditor of Colleton County and the County Board of Equalization. He shall also inspect and issue building permits. The Deputy Auditor shall receive such salary as may be provided in the annual appropriations act of Colleton County.

**SECTION 2. Tax board of appeals created for Colleton County.**—There is hereby created a Tax Board of Appeals in Colleton County to consist of five members to be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation. The terms of the office of members shall be for four years and they shall receive such compensation as is provided in the annual appropriations act for Colleton County for such time as they are actually employed. The board shall meet during the month of April in each year and at such other times as may be called by the County Auditor. Their duties shall be to hear appeals of taxpayers from the assessment or levy of the County Auditor and to make such adjustments as are equitable and just under the law. *Provided*, that nothing contained in this section shall be so construed as to interfere with the right of appeal to the South Carolina Tax Commission, the Comptroller General, or to the Courts.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R227, H1375)

**No. 127****An Act To Require Building Permits In Williamsburg County And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Williamsburg County.**—Prior to the erection or improvement of any structure upon real estate situate in Williamsburg County at a cost in excess of one thousand dollars the owner of the real estate shall secure from the county auditor a building permit. A fee of twenty-five cents shall be charged for each permit, which shall be deposited in the general fund of the county.

Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

**SECTION 2. Time effective.**—This act shall take effect April 1, 1963.

Approved the 18th day of April, 1963.

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(R228, H1376)

**No. 128****An Act To Increase The Tax Levy Which May Be Imposed By The Town Of Kingstree In Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Town of Kingstree may levy annual tax.**—Notwithstanding the provisions of Section 47-244 of the 1962 Code the Town Council of the Town of Kingstree may levy, as provided in Article 4, Chapter 3, Title 47, of the 1962 Code, an annual tax not exceeding six per cent of the assessed value of all taxable property lying within the corporate limits of the town.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R230, H1460)

**No. 129****An Act To Create The Greenville County Planning Commission And To Provide For Its Membership, Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenville County Planning Commission created—area.**—There is hereby created the Greenville County Planning Commission, hereinafter referred to in this act as “The Commission.” The Commission shall study total development within the territorial limits of Greenville County and prepare plans which will promote the orderly and economical development of the county, submit these plans to appropriate Federal, State, county and municipal officials having jurisdiction in the county, and encourage the execution of these plans. The Greenville County Planning Area, hereinafter referred to as “The Planning Area” shall comprise all of Greenville County, including both incorporated and unincorporated areas.

**SECTION 2. Purpose and intent.**—It is the purpose and intent of this act that the Commission shall offer assistance in the coordination of the plans and programs of local agencies, study development trends and planning problems where there is a need for action on a metropolitan basis and work with other governmental bodies within the county so as to arrive at solutions which serve the best interests of the Planning Area. Nothing in this act shall be construed to affect the powers and duties of the Greenville County Planning and Development Board as set forth in Article 19, Chapter 8, Title 14, of the 1962 Code.

All action of the Commission shall be designed to guide and accomplish a coordinated and harmonious development of the Planning Area on a continuous basis in accordance with present and future needs in an efficient and economical manner which will best promote the public health, safety, morals, order, convenience, prosperity, and general welfare. Such development shall include adequate provision for traffic and transportation facilities, the promotion of safety from fire or other dangers, the prevention and correction of pollution of air and water, promotion of good civic design and arrangement, and the adequate provision of public utilities and other public requirements. The Commission will produce continuing plans for the Planning Area.

**SECTION 3. Members — terms — vacancies — officers — meetings—powers and duties.**—The Planning Commission shall be composed of five members appointed by the county legislative delegation,

including the Senator. Of the initially appointed members, two shall be appointed for terms of two years each and three for terms of four years each. All terms shall expire on December thirty-first of the final year of the terms. Vacancies in an unexpired term shall be filled in the manner of original appointment for the unexpired portion of the term only. The appointing body may remove a member for inefficiency, neglect of duty, or malfeasance in office.

The Commission shall elect from among its members a Chairman and such other officers as it may choose for such terms as it may prescribe. The Commission shall adopt such rules and regulations not inconsistent herewith as it may deem necessary for the proper discharge of its duties. The chairman may appoint such committees as the work of the Commission may require.

The Commission shall hold regular meetings at least once every three months at places and dates to be determined by the Commission. Special meetings may be called by the chairman on his own initiative and must be called by the chairman upon request of two or more members. The Commission shall keep a record of its recommendations, transactions, findings, and determinations, which record shall be a public record.

The Commission shall have the power, within the limits of funds appropriated or otherwise made available to it, to: (1) appoint such employees as it may deem necessary for the execution of its duties; (2) contract with persons, firms, or corporations for special or technical services; (3) contract with the State of South Carolina, or the Federal Government, or any agency or department thereof, for such services or grants as may be available from such agencies, and to carry out the provisions of such contracts. The Commission is authorized to concur in any contracts or to enter into them as co-makers. The Commission may accept and disburse in the performance of its functions any funds, grants and services made available by the Federal Government, the State Government, municipal governments within the Planning Area, or any private or civic source.

No later than March first of each year the Commission shall submit to the county legislative delegation a proposed budget for the next fiscal year. The Commission shall receive such county funds as may be provided by law.

**SECTION 4. Powers and duties further.**—The Commission shall have authority to: (a) Prepare and from time to time revise, amend, and add to a continuing plan or plans for the development of the

Planning Area. (b) Cooperate with and provide planning assistance to municipalities and other local governmental instrumentalities and planning agencies in the county. Such planning assistance shall be limited to surveys, land use studies, technical services and other planning assistance; whenever cooperation and assistance include the rendering of technical services, such services may be rendered free or in accordance with an agreement for reimbursement. (c) Provide information to officials of departments, agencies, and instrumentalities of State and local government, and to the public at large, in order to foster public awareness and understanding of the objectives of the Commission's plans and to stimulate public interest and participation in the orderly development of the Planning Area. (d) Hold public and private hearings and sponsor public meetings in any part of the county whenever it deems such hearings or meetings necessary or useful in the execution of its functions. (e) Exercise all other powers necessary and proper for the discharge of its duties. (f) Appoint advisory committees from among citizens of the Planning Area to study any problems or to advise on any problems submitted by the Commission.

**SECTION 5. Reports.**—The Commission shall submit to the county legislative delegation quarterly reports of its activities.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R232, H1370)

### No. 130

#### **An Act To Create A Recreation Commission For Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Recreation Commission of Spartanburg County, created.**—There is hereby created the Recreation Commission of Spartanburg County, to be composed of one resident from each of the seven school districts in the county appointed by the county legislative delegation. Of the initial appointees, two shall be appointed for terms of one year each, two for terms of two years each, and three for terms of three years each. Subsequent terms shall be for three years

each. Appointees shall serve until their successors are appointed and qualified. Vacancies in an unexpired term shall be filled in the manner of the original appointment for the unexpired portion of the term only. The members shall serve without remuneration or financial benefit of any kind.

**SECTION 2. Officers and meetings.**—The commission shall appoint from its membership a chairman and such other officers as it may deem necessary for the orderly conduct of its business, and may adopt such rules and regulations as it deems necessary to carry out the provisions of this act. The commission shall hold regular meetings at such times and places as it may designate, *provided*, that at least four public meetings shall be held each year.

**SECTION 3. Powers and duties.**—The commission may provide, maintain, operate and supervise public parks and playgrounds, athletic fields, recreation centers, and all other recreational or cultural facilities or activities owned or controlled by the county or leased or loaned to the commission. The commission may create policies for, have authority over and administer a coordinated recreation service, and may cooperate with similar local, State or Federal authorities.

**SECTION 4. Acceptance of property.**—Spartanburg County, by and through the Recreation Commission, may accept real or personal property for recreational purposes; *provided*, that no such property may be accepted subject to any condition without written approval of the county legislative delegation.

**SECTION 5. Employ personnel.**—The Recreation Commission may employ a director of recreation and such other trained persons as it deems necessary.

**SECTION 6. Disbursement of funds.**—Funds appropriated for use by the Recreation Commission shall be disbursed by the Spartanburg County Board of Control upon vouchers issued by the Commission and in conformance with the procedures approved by the county legislative delegation. Non-appropriated funds received by the commission shall be deposited in the general fund of the county for disbursement by the commission in the manner provided for appropriated funds.

**SECTION 7. Annual report.**—The Recreation Commission shall make a written annual report, including a statement of receipts and disbursements, to the county legislative delegation at least twenty

days prior to the end of each fiscal year. The fiscal year of the commission shall conform to that of the county.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R233, H1402)

**No. 131**

**An Act To Amend Sections 21-3071, 21-3073 And 21-3074 Of The 1962 Code, Relating To The Horry County Higher Education Commission, So As To Further Define Its Membership, Power And Function.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly notes that a determined effort has been made in Horry County to promote an institution of higher learning which would provide educational facilities to residents of Horry County beyond those available in the public schools of Horry County. Such effort has been promoted by the Coastal Educational Foundation, Inc., an eleemosynary corporation chartered on October 19, 1954, and by the Horry County Higher Education Commission.

It is found that a need exists for physical facilities in which an appropriate institution of higher learning can function, and being mindful that under the provisions of Section 6 of Article X of the State Constitution it may authorize Horry County to incur bonded debt for educational purposes, the General Assembly has determined to provide a means by which an appropriate building can be constructed and equipped and thereafter leased to and operated by either of Coastal Educational Foundation, Inc., or such other agency as may hereafter be authorized by the General Assembly to function in such field. It wishes, however, to maintain an element of control over the use of any building constructed for such purposes, in order to insure its functioning under conditions best suited for the promotion of higher education in Horry County, and, in order that, if it shall hereafter be determined that the building whose construction and equipping is herewith authorized shall not be utilized in such a manner as to best promote higher education for residents of the county, the build-

ing may henceforth be devoted to other educational or county purposes. To that end it has determined to redefine the membership of the Commission and to redefine its functions and powers.

**SECTION 2. Section 21-3071, 1962 Code, amended—Horry County Higher Education Commission created.**—Section 21-3071 of the 1962 Code is amended to read as follows:

“Section 21-3071. There is hereby created the Horry County Higher Education Commission. The Commission shall be composed of sixteen members who shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation, including the Senator. The initial membership shall hold office for terms ending upon the dates set opposite their names, as follows:

| <i>Name of Member</i>    | <i>Date of Expiration of Term</i> |
|--------------------------|-----------------------------------|
| Joseph Holliday .....    | July 1, 1963                      |
| E. C. Wall .....         | July 1, 1963                      |
| E. E. Prince .....       | July 1, 1963                      |
| C. A. Spivey .....       | July 1, 1963                      |
| J. C. Hipp .....         | July 1, 1964                      |
| D. W. Green, Jr. ....    | July 1, 1964                      |
| Lloyd Causey .....       | July 1, 1964                      |
| M. B. Gilreath .....     | July 1, 1964                      |
| E. H. Carmichael .....   | July 1, 1965                      |
| Mrs. W. E. Cameron ..... | July 1, 1965                      |
| E. F. Southern .....     | July 1, 1965                      |
| George Lovell .....      | July 1, 1965                      |
| James Blanton .....      | July 1, 1966                      |
| Charles Tilghman .....   | July 1, 1966                      |
| T. W. Anderson .....     | July 1, 1966                      |
| R. C. Smith .....        | July 1, 1966                      |

Thereafter, upon the expiration of the terms of office of the present members, successors shall be appointed for terms of four years, provided always that there shall be at least one member from each of the eight public school attendance areas in the county. In the event of any vacancy, a successor shall be appointed for the balance of the unexpired term, but all members of the Commission shall hold office until their successors have been appointed and shall qualify. No member of the Commission shall receive any compensation for serving on the Commission. The Commission shall at all times have a chairman, vice-chairman, and a secretary elected from its appointed membership.”

**SECTION 3. Section 21-3073, 1962 Code, amended—powers and duties.**—Section 21-3073 of the 1962 Code is amended to read as follows:

“Section 21-3073. The immediate function of the Commission shall be the constructing and equipping of a suitable building which shall be designed in such manner as to be suitable for classroom and the related activities of an institution of higher learning. The Commission shall first acquire in fee simple an appropriate site and thereafter shall take such steps as may be necessary for the construction and equipping of such a building thereon. It shall determine the best available method by which the building may be utilized for the promotion of higher education for residents of the county and if it concludes that the institution now operated by the Coastal Educational Foundation, Inc. provides the best opportunity for the advancement of higher education in the county, then it may lease the building to such corporation. The Commission shall be empowered:

- (1) To adopt and use a corporate seal.
- (2) To sue and be sued.
- (3) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (4) To fix and define the terms of the officers of the Commission.
- (5) To operate its affairs on a fiscal year coinciding with that of the county.
- (6) To acquire an appropriate site within the county and to construct and equip thereon appropriate facilities of the sort authorized.
- (7) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
- (8) To accept gifts, grants, donations, devises and bequests.
- (9) To make contracts for the construction, architectural and otherwise, with competitive bids, of a suitable building and for such other purposes as may be required by the Commission, under such terms and conditions as it shall deem appropriate.
- (10) To expend any funds, including the proceeds of any bonds issued by Horry County to defray costs incident to the construction and equipping of the building herein authorized.
- (11) To enter into leases with private eleemosynary corporations or other public agencies under which the facilities acquired and owned by the Commission may be utilized for the promotion of higher learning in the county; *provided*, that any such lease shall be subject to

the provision that it may be terminated, at the option of the Commission, at the close of any school year ending three years subsequent to the date of such lease, if the Commission shall determine that the method employed by any lessee for the promotion of higher learning within the county does not fulfill the intendment of this act, and in such event to enter into further leases with other eleemosynary corporations or public agencies for the utilization of the building for the purposes intended, or if it shall be determined by the Commission that the leasing of its facilities no longer serves the purposes for which intended, then to make them available to the public school system or other public agencies of the county.

(12) To impose such terms and conditions in any lease which it shall make, which will reserve in the Commission the right to supervise the activities of any lessee, in order to insure the utilization of its facilities for the purposes herein intended.

(13) To fix and maintain such rentals, if any, as it shall determine for the use of its facilities.

The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Clerk of Court for the county and with each member of the county legislative delegation.

Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with each member of the legislative delegation."

**SECTION 4. Section 21-3074, 1962 Code, amended—tax levy.—**

Section 21-3074 of the 1962 Code is amended to read as follows:

"Section 21-3074. By legislation in *pari materia*, provision has been made for the issuance of four hundred thousand dollars of general obligation bonds of Horry County to provide funds to the Commission to enable it to construct and equip a suitable building on a tract of land acquired by the Commission in Conway Township in Horry County. For the payment of such bonds, the full faith and credit of Horry County has been pledged, and there is required to be levied and collected by the Auditor and Treasurer of Horry County a tax *ad valorem* without limit as to rate, sufficient to provide for the payment of the principal and interest of the bonds. Without in any way limiting the generality of the foregoing pledge, the tax to be

levied shall in no event be less than three mills, and if any surplus shall remain from the proceeds of the tax after meeting the payment of the principal and interest on the aforesaid bonds, such surplus, if any, shall be paid over by the treasurer to the Commission to enable it to carry out functions committed to it by this act.

Upon retirement of the bond issue, provided for herein, the Auditor for Horry County shall levy and the Treasurer shall collect three mills upon all taxable property within the county. The proceeds of such levy shall be paid over to the Commission to carry out the functions committed to it by this act."

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R235, H1483)

**No. 132**

**An Act Making It Unlawful To Discharge Untreated Sewage Into The Tidal Waters Of Charleston County After July 1, 1970, And To Provide For Exemptions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Unlawful to dump untreated sewage into tidal waters of Charleston County.**—After July 1, 1970, it shall be unlawful for any person or political entity to dump untreated sewage into the tidal waters of Charleston County.

**SECTION 2. Political entities to submit plans for treatment of sewage.**—Any political entity dumping untreated sewage into the tidal waters of Charleston County on April 15, 1963, shall submit to the Charleston County Legislative Delegation, on or before April 15, 1964, a proposed plan for treatment of such sewage. The minimum accepted process for such treatment shall be primary treatment and chlorination. The plan shall include proposed methods of financing, proposed engineering studies, possible plant sites, the tentative date for commencing construction of the facilities and such other information as may be requested by the Charleston County Legislative Delegation.

**SECTION 3. Penalties.**—Any political entity violating the provisions of Section 1 of this act shall, upon conviction, be subject to a

penalty of one thousand dollars for each day of violation and any political entity violating the provisions of Section 2 of this act shall be subject to a penalty of fifty dollars for each day of violation. Any person other than a political entity violating the provisions of Section 1 of this act shall, thirty days after having received written notice by the Charleston County Board of Health to cease and desist from such violations, be subject to a fine of twenty dollars for each day of violation. Such penalties shall be collected by Charleston County by civil action in a court of competent jurisdiction.

**SECTION 4. Exemptions.**—The provisions of this act shall not apply to the discharge of untreated sewage from any boat or vessel while afloat. Any person other than a political entity may upon written application to the Charleston County Board of Health receive such exemption, as may be determined by the board, from the provisions of Section 1 of this act if the board finds that no suitable means of sewage disposal is available to such person other than dumping such sewage into the tidal waters of the county.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1963.

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(R243, H1386)

**No. 133**

**An Act To Provide For The Issuance Of Construction Permits In Lexington County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Construction permits required in Lexington County.**—It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars, in Lexington County, unless an application has been filed with and a permit granted by the county auditor, or a county magistrate for such construction or improvement; *provided*, that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

**SECTION 2. Application forms.**—The auditor shall prepare and furnish the county magistrates the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. This information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permits.**—The auditor or a county magistrate shall issue the permit upon the applicant's paying a fee of three dollars if the cost of construction does not exceed ten thousand dollars, or five dollars if the cost exceeds that amount. The fees shall be remitted to the county treasurer for deposit in a special fund of the county on the last Monday of each month, together with a copy of each permit issued since previous remittance. The permits shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the county treasurer.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the auditor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish copies of permits.**—Every incorporated municipality in the county, requiring permits for the construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the auditor copies of all permits issued by the municipality.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Electricity not to be furnished without permit.—**

It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection within an incorporated municipality which does not issue building permits shall report to the county tax auditor's office on or before the tenth of each month the location of each connection.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R244, H1477)

**No. 134**

**An Act To Provide For The Issuance Of Construction Permits In Hampton County; To Prohibit Electrical Companies From Making Electrical Connections To A Building Constructed Without A Permit And To Provide A Penalty For Violations Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Construction permits required in Hampton County.**—It shall be unlawful for any person to erect or construct any new building on real estate, which costs in excess of five hundred dollars, in Hampton County, unless an application has been filed with and a permit granted by the tax assessor to erect or construct such new building; *provided*, that no application or permit shall be required for a new building upon real estate situate within any incorporated municipality which requires a permit for the erection or construction of a new building.

**SECTION 2. Application forms.**—The tax assessor shall prepare and furnish the application forms, which shall show information to be of assistance to him in locating the real estate on which a new building is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction; (e) type of construction; (f) type of roof; (g) number of stories;

(h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permits.**—The tax assessor shall issue the permit upon the applicant's paying a fee of one dollar which shall be retained by the issuing office. The permit shall be numbered and be made in triplicate; the original shall be filed with the tax assessor and one copy with the county auditor. The permit when issued shall be kept at the building or place where such construction, erection, improvement or alteration is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish copies of permits.**—Every municipality in the county, requiring permits for the erection or construction of any improvements upon real estate situate within the municipality, shall furnish to the tax assessor and auditor copies of all permits issued by the municipality.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding twenty-five dollars nor less than five dollars or imprisonment not exceeding ten nor less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Electricity not to be furnished without permit.**—It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R247, H1493)

**No. 135****An Act To Amend The 1962 Code By Adding New Section 27-309.1, So As To Provide A Schedule Of Fees To Be Charged By The Judge Of Probate Of Fairfield County In The Ordinary Settlement Of Decedents' Estates.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 27-309.1 added to 1962 Code—judge of probate fees for Fairfield County.**—Section 27-309.1 is added to the 1962 Code to read as follows:

“Section 27-309.1. The fees of the probate judge of Fairfield County shall be as set forth in this section, except that if the fee for any service be not set forth in this section, then such fee shall be as provided by general law. The fees for the ordinary settlement of a decedent's estate shall be as follows:

- (a) On estates of one thousand dollars or less, twelve dollars;
- (b) On estates of two thousand dollars or less, fourteen dollars;
- (c) On estates of three thousand dollars or less, sixteen dollars;
- (d) On estates of four thousand dollars or less, eighteen dollars;
- (e) On estates of five thousand dollars or less, twenty dollars;
- (f) On estates of ten thousand dollars or less, twenty-five dollars;
- (g) On estates of twenty thousand dollars or less, thirty dollars;
- (h) On estates over twenty thousand dollars to fifty thousand dollars, thirty-five dollars; and
- (i) On estates over fifty thousand dollars, fifty dollars.

The costs aforesaid shall not include any costs paid a printer for advertising and shall be due and payable on the appointment of the executor or administrator.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R248, S236)

**No. 136****An Act Prohibiting The Commercial Harvesting Of Shellfish In Certain Areas In Game Zone 7 And Providing Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Commercial harvesting of shellfish unlawful in certain areas of Game Zone 7.**—It shall be unlawful to commercially harvest shellfish below low water mark in Game Zone 7 between Butler Inlet (Pawley's Inlet) and Midway Inlet in Georgetown County.

**SECTION 2. Penalties.**—Any person violating the provisions of Section 1 of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or imprisoned for not more than thirty days.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

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(R250, H1139)

**No. 137**

**An Act To Amend Section 72-256 Of The 1962 Code, Relating To Time Limitations On Certain Claims, So As To Exclude Claims For Exposure To Ionizing Radiation From Such Limitations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 72-256, 1962 Code, amended—when occupational disease must have been contracted.**—Section 72-256 of the 1962 Code is amended by inserting between the words "disease" and "unless" on line 3, the following: ", except that due to exposure to ionizing radiation," so that when so amended the section shall read as follows :

"Section 72-256. Neither an employee nor his dependents shall be entitled to compensation for disability or death from an occupational disease, except that due to exposure to ionizing radiation, unless such disease was contracted within one year after the last exposure to the hazard peculiar to his employment which caused the disease, save that in the case of a pulmonary disease arising out of the inhalation of organic or inorganic dusts the period shall be two years."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

(R251, H1474)

**No. 138**

**An Act To Amend Section 65-2983 Of The 1962 Code, Relating To Disposition Of Funds Collected By The Forfeited Land Commission Of Beaufort County, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-2983, 1962 Code, amended—Beaufort County Forfeited Land Commission—disposition of funds.**—Section 65-2983 of the 1962 Code is amended by striking beginning on line seven the following: “in accordance with law; and if there be no law to the contrary such part thereof as shall be received by the county shall be allotted to the school fund for the purpose of retiring any outstanding school note.” and inserting in lieu thereof the following: “for school or library purposes only.” The section when amended shall read as follows:

“Section 65-2983. All funds collected by the forfeited land commission of Beaufort County shall be deposited in a bank in the county, as are other public funds, to the credit of the forfeited land commission and vouchers drawn thereon by the commission shall be honored. At the expiration of each year the forfeited land commission shall turn over all funds not expended to the county treasurer and they shall be disbursed by him for school or library purposes only.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

(R255, H1518)

**No. 139**

**An Act To Amend Section 47-112.1 Of The 1962 Code, Relating To The Terms Of Office Of The Mayor And Councilmen Of The Town Of Blenheim In Marlboro County, So As To Include The Town Of Mayesville In Sumter County Under The Provisions Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 47-112.1, 1962 Code, amended—terms of mayors and councilmen for Towns of Blenheim and Mayesville.**—

Section 47-112.1 of the 1962 Code is amended by inserting between the words "County" and "the" on line 2, the following: "and the town of Mayesville in Sumter County". The section when amended shall read as follows:

"Section 47-112.1. Notwithstanding the provisions of Section 47-111, in the town of Blenheim in Marlboro County and the town of Mayesville in Sumter County, the mayor and councilmen shall be elected every four years, and their terms of office shall be for four years and until their successors have been elected and qualify."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

(R256, H1520)

**No. 140**

**An Act To Provide For Building Permits In Sumter County  
And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Sumter County.**—

Any person before constructing a new building or making additions, alterations or repairs to an existing building in Sumter County, where the cost exceeds one thousand dollars, shall obtain a permit from any magistrate, deputy sheriff or the county auditor.

The permit shall be furnished without cost and shall be in the following form:

|                                       |                  |
|---------------------------------------|------------------|
|                                       | "No. ....        |
| Sumter County Building Permit         |                  |
| Owner .....                           |                  |
| Address .....                         |                  |
| Cost of Repairs or Construction ..... | \$.....          |
| Nature of Construction .....          |                  |
| .....                                 |                  |
| Intended Use .....                    |                  |
|                                       | .....            |
|                                       | Issuing Official |
|                                       | .....            |
|                                       | Title"           |

*Provided*, any person obtaining a permit from a municipality shall be exempt from the provisions of this act.

**SECTION 2. Issuance of.**—The permits shall be in triplicate, the original to be delivered to the owner of the premises, the duplicate to be filed in the office of the auditor, and the triplicate to be retained by the issuing officer.

**SECTION 3. Penalties.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars or be imprisoned for not more than ten days.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

(R257, S27)

#### No. 141

#### **An Act To Provide A Schedule Of Fees To Be Charged By The Secretary Of State For Filing Certain Documents.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Fees to be charged by Secretary of State.**—The Secretary of State shall charge the following fees for filing documents provided for by the South Carolina Business Corporation Act of 1962; references herein are to sections of Act No. 847 of 1962:

- |  |         |
|--|---------|
| (1) Application to reserve corporate name as provided by Section 3.2 .....   | \$ 5.00 |
| (2) Notice of transfer of a reserved corporate name as provided by Section 3.2 .....                                     | 3.00    |
| (3) Application to register corporate name as provided by Section 3.3 .....  | 5.00    |
| (4) Application to renew the registration of a registered name as provided by Section 3.3 .....                          | 5.00    |
| (5) A statement changing the registered office or the registered agent of a corporation as provided by Section 3.5 ..... | 5.00    |
| (6) Notice of resignation of a registered agent of a corporation as provided by Section 3.5 .....                        | 3.00    |

|   |      |
|---|------|
| (7) Application of a corporation appointing a registered agent upon the death, incapacity, resignation or other inability of the existing registered agent as provided by Section 3.5 . . . . . | 5.00 |
| (8) Notice of change of address of a registered agent of a corporation as provided by Subsection (d) of Section 3.5 . . . . .   | 2.00 |
| (9) Notice of revocation of appointment of a registered agent as provided by Subsection (e) of Section 3.5 . . . . .  | 3.00 |
| (10) Service of process upon Secretary of State as provided by Subsection (b) of Section 3.6 . . . . .  | 5.00 |
| (11) Service of process upon Secretary of State as provided by Subsection (b) of Section 3.7 . . . . .  | 5.00 |
| (12) Notice of resignation of a nonresident director as provided by Subsection (d) of Section 3.7 . . . . .   | 2.00 |
| (13) Statement of any change in the name or address of nonresident directors as provided by Subsection (e) of Section 3.7 . . . . .   | 2.00 |
| (14) Articles of incorporation as provided by Section 4.2 . . . . .   | 5.00 |
| (15) Statement regarding series of shares as provided by Subsection (c) of Section 5.3 . . . . .  | 5.00 |
| (16) Statement of retirement or cancellation of redeemable shares as provided by Subsection (b) of Section 5.19 . . . . .   | 5.00 |
| (17) Statement of retirement of other shares as provided by Subsection (b) of Section 5.20 . . . . .  | 5.00 |
| (18) Statement of reduction of stated capital as provided by Subsection (a)(4) of Section 5.21 . . . . .  | 5.00 |
| (19) Articles of amendment as provided by Subsection (b) of Section 9.6 . . . . .   | 5.00 |
| (20) Restated articles of incorporation as provided by Section 9.8 . . . . .  | 5.00 |
| (21) Articles of amendment as provided by Section 9.9 . . . . .   | 5.00 |
| (22) Articles of merger or consolidation as provided by Section 10.4 . . . . .  | 5.00 |
| (23) Articles of merger as provided by Section 10.5 . . . . .   | 5.00 |
| (24) Articles of merger or consolidation as provided by Section 10.7 . . . . .  | 5.00 |

|  |       |
|--|-------|
| (25) Statement required by Subsection (d) of Section 10.7 in the event that the surviving or new corporation is a foreign corporation .....                                    | 5.00  |
| (26) Articles of dissolution as provided by Section 12.1 .....   | 5.00  |
| (27) Statement of intent to dissolve as provided by Subsection (a) (5) of Section 12.2 or by Section 12.3 or by Subsection (a) of Section 12.4 .....                           | 5.00  |
| (28) Application for reinstatement of dissolved corporation as provided by Subsection (d) of Section 12.4 .....  | 25.00 |
| (29) Statement of revocation of voluntary dissolution proceedings as provided by Section 12.7 or by Section 12.8 .....   | 5.00  |
| (30) Articles of dissolution as provided by Section 12.10 .....  | 5.00  |
| (31) Application for reinstatement of corporation dissolved by forfeiture as provided by Section 12.12 .....   | 25.00 |
| (32) Application of a foreign corporation for authority to do business in State as provided by Section 13.2 .....  | 5.00  |
| (33) An amendment of the articles of incorporation of a foreign corporation authorized to do business in this State as provided by Section 13.6 .....                          | 5.00  |
| (34) Articles of merger of a foreign corporation as provided by Section 13.7 .....   | 5.00  |
| (35) An amendment to a foreign corporation's application for authority to do business in this State as provided by Section 13.8 .....  | 5.00  |
| (36) An application of a foreign corporation for surrender of its authority as provided by Section 13.9 .....  | 5.00  |
| (37) Statement required by Section 13.10 .....   | 5.00  |
| (38) Receiving service of process in any suit permitted by Subsection (b) of Section 13.12, or by Subsection (b) of Section 13.13, or by Subsection (b) of Section 13.14 ..... | 5.00  |
| (39) Annual report of a foreign or domestic corporation as provided by Section 14.1 .....  | 5.00  |
| (40) Other documents not herein specifically provided for .....  | 5.00  |

- (41) For furnishing a copy of any document, relating to a corporation and filed in the office of the Secretary of State:
- |   |      |
|---|------|
| (a) For the first page .....              | 1.00 |
| (b) For each additional page .....        | .50  |
| (c) For authenticating the document ..... | 2.00 |
- (42) For comparing a copy furnished to him of any document relating to a corporation and filed in the office of the Secretary of State:
- |  |      |
|--|------|
| (a) For each page .....                                | .50  |
| (b) For authenticating the document so furnished ..... | 2.00 |

All fees collected by the Secretary of State as provided by this section shall be remitted to the State Treasurer for the use of the State.

**SECTION 2. Fees to be collected by Secretary of State.—**(a) Before filing any of the following documents, the Secretary of State shall collect the following taxes:

- (1) Articles of incorporation:
- |   |          |
|---|----------|
| (a) For each \$1,000.00 of the aggregate value of shares which the corporation is authorized to issue ..... | .40      |
| (b) but in no case less than .....  | 40.00    |
| (c) nor more than .....   | 1,000.00 |
- (2) Articles of amendment which include any authorization to increase the number of shares which the corporation is authorized to issue:
- |  |          |
|--|----------|
| (a) For each \$1,000.00 of the total increase in the aggregate value of authorized shares... | .40      |
| (b) but in no case less than .....   | 40.00    |
| (c) nor more than .....  | 1,000.00 |
- (3) Articles of amendment which do not include any authorization to increase the number of shares which the corporation is authorized to issue .... 40.00
- (4) Application by a foreign corporation of authority to do business in this State:
- |   |          |
|---|----------|
| (a) For each \$1,000.00 of the aggregate value of shares which the corporation is authorized to issue ..... | .40      |
| (b) but in no case less than .....  | 40.00    |
| (c) nor more than .....   | 1,000.00 |

- (5) Articles of merger or consolidation which increase the number of shares which the surviving or new corporation, domestic or foreign, shall have authority to issue, in excess of the total number of shares which all participating domestic corporations and foreign corporations authorized to do business in this State had authority to issue:
- |   |          |
|---|----------|
| (a) For each \$1,000.00 of the total increase in the aggregate value of authorized shares . . . . | .40      |
| (b) but in no case less than . . . . .  | 40.00    |
| (c) nor more than . . . . .   | 1,000.00 |
- (6) For articles of merger or consolidation which do not increase the number of shares which the surviving or new corporation, domestic or foreign, shall have authority to issue, in excess of the total number of shares which all participating domestic corporations and foreign corporations authorized to do business in this State had authority to issue
- |  |       |
|--|-------|
|  | 40.00 |
|--|-------|

(b) For the purpose of computing the taxes required by Subsection (a) of this section:

(1) In the case of par value shares the term "aggregate value" shall mean the product of the par value of each share and the total number of such shares which the corporation is authorized to issue, and

(2) In the case of no-par shares, each such share shall be treated as if it had a par value of ten dollars per share. The "aggregate value" of no-par shares shall mean the product of ten dollars per share and the total number of such shares which the corporation is authorized to issue.

(c) All taxes collected by the Secretary of State as provided by this section shall be remitted to the State Treasurer for the use of the State.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1963.

(R258, S251)

**No. 142****An Act To Permit The Director Of The Division Of Game To Make Periodic Studies Of Certain Areas In Game Zones 6, 7 And 8, And Declare Open Seasons For The Taking Of Doe Deer, And To Provide Penalties For Violations.**

Whereas, the deer population in some areas of Game Zones 6, 7 and 8 has been increasing for several years; and

Whereas, in certain locations these deer are destructive to crops and the condition of the deer has deteriorated due to malnutrition; and  
Whereas, the only way to reduce these herds of deer is to take some of the doe deer; and

Whereas, the taking of doe deer will need to be restricted to those areas where an over population exists and the hunting and taking of doe deer must be closely supervised. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Wildlife Resources Department may declare open season for deer in Game Zones 6, 7 and 8.**—The Director of the Division of Game of the Wildlife Resources Department shall have the authority to make periodic studies of the area in Game Zones 6, 7 and 8 of the deer populations and determine the areas where the deer herds need to be reduced, and declare open seasons for taking of doe deer at any time between September first and January first.

**SECTION 2. Further restrictions concerning open season.**—The director may prescribe the methods by which the doe deer may be taken and may fix the specific areas of the zones in which the doe deer need harvesting. All areas that are not specifically open to hunting of doe deer shall be closed. He may designate the number of doe deer that may be taken by any one person, require any person taking a doe deer to report it to the department, issue tags to be attached to any doe that might be taken and prescribe any other regulations for the harvesting of doe deer; *provided*, that any season selected, or area designated, for a doe deer season shall be approved in writing by the majority of the legislative delegation, including the Senator of the county where the area selected is located.

**SECTION 3. Open season may be declared on any game animal—conditions.**—Notwithstanding other provisions of this act, the Di-

rector of the Division of Game shall have the authority during any season of the year to permit the taking of any game animal and prescribe the method by which they may be taken when they become so numerous that they cause excessive damage to crops and property. *Provided*, that any such animal taken under these conditions shall be under the supervision of the South Carolina Wildlife Resources Department. Any deer killed under such conditions shall be given to eleemosynary institutions.

**SECTION 4. Penalties.**—Any person taking, attempting to take, or having in his possession a doe deer illegally, or taking, attempting to take or kill a doe deer in any way, or in any area, not prescribed by the director, shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or imprisoned not less than fifteen days nor more than thirty days.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1963.

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(R259, S273)

**No. 143**

**An Act To Amend Sections 58-841, 58-842 And 58-843, Code Of Laws Of South Carolina, 1962, Relating To The Construction And Maintenance Of Grade Crossings And Highways, So As To Further Require All Operators Of Railroads In This State To Construct And Maintain Certain State Highway Grade Crossings And To Provide A Penalty For Violations Thereof; And To Empower The State Highway Department To Enter Into Agreements With Railroad Operators Thereabout.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 58-841, 1962 Code, amended—operators of railroads to construct grade crossings.**—Section 58-841 of the 1962 Code is amended to read as follows:

“Section 58-841. Whenever the public safety, convenience or necessity so requires, all operators of railroads which are now or hereafter shall be crossed at grade by a public highway shall construct and maintain grade crossings meeting the requirements of the au-

thorities responsible for such highways. This shall apply to crossings necessary for new highways, as well as to crossings needed to replace existing crossings rendered obsolete or unnecessary by the relocation or improvement of existing highways or roads.”

**SECTION 2. Section 58-842, 1962 Code, amended—grade crossings of State Highways.**—Section 58-842 of the 1962 Code is amended to read as follows:

“Section 58-842. In case of grade crossings of State Highways over such railroads, the State Highway Department, after due notice to the railroad, corporation or operator, and hearing the railroad, or operator, involved, if application is made for such a hearing within ten days after receipt of the notice, and after finding that the public safety, convenience or necessity require it, shall have the power to specify the character of the grade crossings, and the operator of the railroad shall, at its own expense, construct and maintain the crossings to meet the specifications of the State Highway Department; *provided*, however, that the power to specify the character of grade crossings granted in this section shall not extend beyond five feet on either side of the center line of the track; *provided*, further, that the State Highway Department shall have the power, in matters relating to such grade crossings, now pending or hereafter arising, to enter into such agreements with operators of railroads pertaining to the construction thereof as in its judgment may be to the best interests of the State, and to agree to pave the area across the tracks after the area is otherwise prepared for paving by the operator of the railroad. The State Highway Department, with the advice and consent of the Attorney General, may waive any and all claims for penalties now existing, upon entry into such agreements.”

**SECTION 3. Section 58-843, 1962 Code, amended—penalties.**—Section 58-843 of the 1962 Code is amended to read as follows:

“Section 58-843. Any person or corporation failing to comply with the provisions of this article, after a hearing, if one is applied for as set out in Section 2 of this act, and after having been notified in writing of the decision of the proper authorities that the crossing is required by public safety, convenience and necessity, and after the lapse of thirty days from the date of such notice, shall, upon conviction, be fined ten dollars per day for each day’s delay in furnishing any crossing as required hereby. The State Highway Department shall make a complaint to any court of competent jurisdiction within the county where the offense is committed, and shall furnish evi-

dence before such court whenever a violation of this article may occur.”

**SECTION 4. Not to affect other penalties.**—Unless waived as herein set forth, the provisions hereof shall not affect or in anywise relieve any railroad company or operator of any penalties incurred under Act 627 of 1956 or Sections 58-841, 58-842 and 58-843 of the 1962 Code.

**SECTION 5. Repeal.**—The provisions of Section 58-996 of the 1962 Code are not intended to be nor are they repealed or affected hereby, but all other acts or parts of acts inconsistent herewith are repealed.

**SECTION 6. Time effective.**—This act shall become effective upon approval by the Governor.

Approved the 29th day of April, 1963.

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(R262, H1385)

**No. 144**

**An Act To Exempt Dillon County From The Provisions Of Section 64-1, Code Of Laws Of South Carolina, 1962, Prohibiting Certain Public Sports On Sunday.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Dillon County may have public sports on Sunday.**—Notwithstanding any other provision of law to the contrary, Dillon County shall be exempt from the provisions of Section 64-1, Code of Laws of South Carolina, 1962, which prohibits certain public sports on Sunday.

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

April 30, 1963. It was ruled by the Speaker of the House that the veto of the Governor had not been received within the three day constitutional limit and therefore became law without the signature of the Governor. The Act was ordered filed in the Secretary of State's Office.

(R263, H1484)

**No. 145**

**An Act To Provide That All County-Owned Docks And Boat Landings In Beaufort County Shall Be Under The Control Of The County Board Of Directors, And To Provide For The Promulgation Of Rules And Regulations; And To Provide Penalties For Violation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Beaufort County docks and boat landings—control of.**—All docks and boat landings owned by Beaufort County shall be under the jurisdiction and control of the County Board of Directors.

**SECTION 2. Rules and regulations.**—The County Board of Directors may promulgate such rules and regulations as it deems necessary for the management and control of the county-owned docks and boat landings.

**SECTION 3. Penalties.**—Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1963.

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(R264, S32)

**No. 146**

**An Act To Amend Item (3) Of Section 23-62 Of The 1962 Code, Relating To The Requirements And Qualifications For Registration For Voting, So As To Reduce The Residency Requirements; And To Amend Item (5) (a) Of Section 23-62 Of The 1962 Code, Relating To The Residency Requirements Of Certain Ministers And School Teachers, So As To Provide For Their Spouses.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (3) of Section 23-62, 1962 Code, amended—residency requirements for voting.**—Item (3) of Section 23-62 of

the 1962 Code is amended by striking the words "two years" on line 1 and inserting in lieu thereof the words "one year"; by striking the words "one year" on line 2 and inserting in lieu thereof the words "six months"; and by striking the word "four" on line 3 and inserting in lieu thereof the word "three", so that, when so amended, the item shall read as follows:

"(3) Shall have been a resident in the State for one year, in the county for six months and in the polling precinct in which the elector offers to vote for three months before any election;"

**SECTION 2. Item (5) (a) of Section 23-62, 1962 Code, amended—ministers, school teachers and their spouses.**—Item (5) (a) of Section 23-62 of the 1962 Code is amended by inserting between the words "schools" and "shall" on line 2 the following: "and the spouses of any such persons" so that, when so amended, it shall read as follows:

"(5) (a) Ministers in charge of an organized church and teachers of public schools and the spouses of any such persons shall be entitled to register and vote after six months' residence in the State if otherwise qualified;"

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R265, S91)

-No. 147-

**An Act To Provide That The Owner Of Any Private Pond Or Lake In Chesterfield County, Or Anyone With Written Permission Of The Owner, May, From November Fifteenth To February Fifteenth Of Each Year, Take Nongame Fish By Means Of Net, Seine, Trap Or Other Device Within The Perimeter Of The Private Pond Or Lake.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Taking of fish from private ponds in Chesterfield County.**—The owner of any private pond or lake, or any person with the written permission of the owner, may, from November fifteenth to February fifteenth of each year, take nongame fish by means of net, seine, trap or other device within the perimeter of the

private pond or lake in Chesterfield County without regard to whether or not the pond or lake is fed by a public stream.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R266, S254)

**No. 148**

**An Act To Provide For The Registration And Licensing of Physicians.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Registration certificates required of physicians.**—All persons authorized to practice medicine in this State, shall by January first of each odd year, apply to the State Board of Medical Examiners for a certificate of biennial registration. Such certificate shall be furnished by the Board upon payment of a five dollar fee. Any person who receives his license in the second year of any biennial period shall pay a two and one-half dollar fee for such a certificate. Any person now licensed to practice medicine in this State who shall obtain such a certificate by August 1, 1963, shall be considered to have complied with the provisions herein.

**SECTION 2. Applications.**—A person shall include in his initial application hereunder a notarized sworn statement containing his full name, office and residence addresses, the number of his state license and such other facts as the Board may deem necessary and deliver the same to the Board by mail or in person. The Board may with cause require that any subsequent application be made under oath. The Board by October first of each even year shall mail every registered physician an application for registration addressed to the last post office address of such physician on file with the Board. The application shall contain proper spaces for insertion by the applicant of the information required by this section and also such directions as may be required to properly complete the application form. On February first of each odd year, the Board shall mail a delinquent notice to all physicians whose registration applications have not been received, calling attention to the civil penalties as hereinafter provided which may be enforced by the Board for failure to timely register.

**SECTION 3. Penalties.**—Any licensed physician who fails to comply with the registration provisions of this chapter except as provided by Section 1 shall pay a penalty of one dollar for each day of default. If nonregistration continues for more than one month after the delinquency notice, the penalty shall thereafter be five dollars per day. The Board shall issue an order requiring payment of the penalties, and upon failure of the party to remit within thirty days, the Attorney General shall institute an action on behalf of the Board to recover such penalties. The right to practice medicine shall not be affected by such penalties, which, for good cause shown, may be remitted or compromised at the sole discretion of the Board. Wilful refusal to comply with this section may be dealt with as provided in Sections 56-1373 and 56-1374 of the Code.

**SECTION 4. Inactive status.**—By voluntary written notification to the Board, a physician may be placed on a “licensed but inactive” status for: (1) discontinuance of medical practice in the State; (2) entry into military or government service as outlined in Section 56-1372 of the Code; (3) prolonged physical illness; or (4) removal of his entire practice of medicine from this State. Prior to any resumption of the practice of medicine in this State such physician must notify the Board in writing that he desires to do so. The Board shall immediately restore the physician to the “licensed and active” status subject to all provisions of this chapter. The Board may require such information as it deems necessary to be currently advised of the activities of a “licensed but inactive” physician, and finding no cause for such status as outlined hereinabove, the Board shall automatically order compliance of such physician with the registration provisions of this chapter.

**SECTION 5. List of registered physicians to be published.**—During each odd year the Board shall publish and mail to every registered physician in this State a list of all physicians registered in this State. The publication shall also contain the Medical Practice Laws of South Carolina. During each even year, the Board shall publish and mail a supplemental list of physicians registered hereunder since the date of the preceding publication, together with a list of those physicians who have notified the Board of a change of address. Names of physicians registered by the Board between publication of such lists shall be reported on request to the secretary of any state medical society of which county medical societies are components.

**SECTION 6. Certificates to be displayed.**—Each licensed physician at all times shall conspicuously display the current and proper registration certificate in his usual place of practice. A physician who changes the address of his usual place of practice shall so notify the Board within thirty days thereafter.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R267, S274)

**No. 149**

**An Act To Amend Section 33-122 Of The Code Of Laws Of 1962, Relating To The Acquisition Of Property By The Highway Department, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 33-122, 1962 Code, amended—acquisition of property by Highway Department.**—Section 33-122 of the Code of 1962 is amended by striking the following on the first three lines: “The Department may acquire by gift, purchase, condemnation or otherwise any lands or other real estate that may be necessary, in the judgment of the Department,”, and inserting in lieu thereof the following: “The Department may acquire an easement or fee simple title to real property by gift, purchase, condemnation or otherwise as may be necessary, in the judgment of the Department,”, and by adding at the end of the section the following proviso: “*Provided, however,* after condemnation, trial and rendition of verdict by jury there shall be no abandonment by the Department without the payment of expenses incurred by the landowner including a reasonable fee to the attorney or attorneys representing the landowner, which fee and expenses shall be set and approved by the trial judge.” The section when so amended shall read as follows:

“Section 33-122. The Department may acquire an easement or fee simple title to real property by gift, purchase, condemnation or otherwise as may be necessary, in the judgment of the Department, for the construction, maintenance, improvement or safe operation of highways in this State or any section of a State highway or for the purpose of acquiring sand, rock, clay and other material necessary for the

construction of highways, including (a) land for drainage ditches and canals that may be needed in order to correct existing land drainage facilities impaired or interfered with by the Department in connection with its road improvement work and (b) property, either within or without incorporated towns, to be used for borrow pits from which to secure embankment and surfacing materials. Other property required, as determined by the Department, for the construction, maintenance and safe operation of State highways may be acquired by condemnation in the manner described in this article. *Provided*, however, after condemnation, trial and rendition of verdict by jury there shall be no abandonment by the Department without the payment of expenses incurred by the landowner including a reasonable fee to the attorney or attorneys representing the landowner, which fee and expenses shall be set and approved by the trial judge."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R268, S301)

**No. 150**

**An Act To Amend Act 856 Of 1962, Relating To The Terms Of Court In The Fifteenth Judicial Circuit, So As To Change The Terms.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Item (1), Section 1, of Act 856 of 1962, amended—terms of court for Horry County.**—Item (1) of Section 1 of Act 856 of 1962 is amended by striking it out and inserting:

"(1) Horry County. The Court of General Sessions for Horry County shall be held at Conway on the second Monday in January for one week, on the first Monday in March for two weeks, on the first Monday in June for two weeks, and on the first Monday in October for two weeks. The Court of Common Pleas for Horry County shall be held at Conway on the first Monday in January for one week on the first Monday in February for two weeks, on the first Monday in April for two weeks, on the first Monday in May for two weeks, on the first Monday in September for two weeks, on the first Monday in November for one week, and on the second Monday in December for one week."

**SECTION 2. Item (2), Section 1, of Act 856 of 1962, amended—terms of court for Georgetown County.**—Item (2) of Section 1 of Act 856 of 1962 is amended by striking it out and inserting:

“(2) Georgetown County. The Court of General Sessions for Georgetown County shall be held at Georgetown on the third Monday in March for one week, on the third Monday in June for one week, on the third Monday in September for one week and on the first Monday in December for one week. The Court of Common Pleas for Georgetown County shall be held at Georgetown on the third Monday in January for two weeks, on the third Monday in February for one week, on the fourth Monday in March for one week, on the third Monday in April for one week, on the third Monday in May for one week, on the fourth Monday in September for one week, on the third Monday in October for two weeks, and on the second Monday in November for one week.”

**SECTION 3. Time effective.**—This act shall take effect on September 1, 1963.

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(R269, S243)

**No. 151**

**An Act To Amend Sections 46-150.13, 46-150.45 And 46-150.48 Of The 1962 Code, Relating To The Mailing Of Motor Vehicle Certificates Of Title To Owners, So As To Provide That When A Lien Or Liens Are Involved The Certificate Of Title Shall Be Forwarded To The Lienholder Having Top Priority And Upon Satisfaction Of Said Liens To Provide For Releases And Filing Of Such Releases With The State Highway Department And To Provide A Penalty For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 46-150.13 amended—to whom certificate to be mailed.**—Amend Section 46-150.13 to read as follows:

“Section 46-150.13. The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner.”

**SECTION 2. Section 46-150.45 amended—procedure when owner creates security interest.**—Amend Section 46-150.45 to read as follows:

“Section 46-150.45. If an owner creates a security interest in a vehicle:

(1) The owner shall immediately execute the application, in the space provided therefor on the certificate of title or on a separate form the Department prescribes, to name the lienholder on the certificate, showing the name and address of the lienholder and the date of his security agreement, and cause the certificate, application and the required fee to be delivered to the lienholder.

(2) The lienholder shall immediately cause the certificate, application and the required fee to be mailed or delivered to the Department.

(3) If the certificate of title is in the possession of a lienholder, any subsequent lienholder shall forward to the Department the required application for perfecting his lien, together with the required fee, and the Department when satisfied that the application is in order shall procure the certificate of title from the lienholder in whose possession it is being held, for the sole purpose of perfecting the new lien thereon. Upon request of the Department, a lienholder in possession of the certificate of title shall forthwith deliver or mail such certificate to the Department. The delivery of the certificate does not affect the rights of the first lienholder under his security agreement.

(4) Upon receipt of the certificate of title, application and the required fee, the Department shall issue a new certificate containing the name and address of the new lienholder, and mail the certificate to the first lienholder named in it."

**SECTION 3. Section 46-150.48 amended—satisfaction of security interest—execution of release—penalties.**—Amend Section 46-150.48 to read as follows:

"Section 46-150.48. (1) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, he shall, within ten days after demand and, in any event, within thirty days, execute a release of his security interest, in the space provided therefor on the certificate or as the Department prescribes, and mail or deliver the certificate and release to the Department which shall file the release and note it upon the record of security interest maintained by the Department pursuant to Section 46-150.46. The Department shall then mail the certificate to the next lienholder or if no other lienholder, then to the owner. No charge shall be made by the lienholder for executing such release.

(2) Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten days

after demand, and, in any event, within thirty days execute a release in duplicate in the form the Department prescribes and deliver or mail a copy to the owner and a copy to the Department for notation upon the record of security interests maintained by the Department pursuant to Section 46-150.46.

(3) Upon failure of the lienholder to forward the certificate to the Department as required by this article, he shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R271, H1075)

**No. 152**

**An Act To Amend The 1962 Code By Adding A Section To Be Designated Section 8-654.1, So As To Provide For The Organization, Operation And Supervision Of A League Central Credit Union Composed Of Credit Unions Affiliated With The South Carolina Credit Union League.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 8-654.1 added—South Carolina League Credit Union may be organized.**—The 1962 Code is amended by adding a section to be designated Section 8-654.1 which shall read as follows:

"Section 8-654.1. The officers and other members of any Credit Union affiliated with the South Carolina Credit Union League and duly organized under this chapter, who because of their official status with such Credit Union cannot borrow from such Credit Union, may along with persons in similar capacity with other Credit Unions, associate themselves together in a statewide Credit Union to be known as 'South Carolina League Credit Union' upon compliance with the provisions of this chapter. Such Statewide Credit Union shall have authority to accept investments from and make loans to its members and shall also have all of the other authority and powers exercised by other credit unions under this chapter, but its membership shall be composed only of the persons authorized to become members un-

der this section. *Provided*, that any Credit Union affiliated with the South Carolina Credit Union League may invest not more than two per cent of its assets in such Statewide League Credit Union."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R272, H1251)

**No. 153**

**An Act Exempting Certain Property From The Tax Imposed By Chapter 16 Of Title 65 Of The 1962 Code.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain imported property exempt from taxes.**—

A person entering South Carolina from outside the continental limits of the United States may bring into the State on his person or in his baggage, property obtained outside the continental limits of the United States, and such property shall not be subject to the tax imposed by Chapter 16 of Title 65 of the 1962 Code; *provided*, that the total cost of the property does not exceed twenty dollars.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R273, H1475)

**No. 154**

**An Act To Provide For The Transfer Of Trust Funds In The Hands Of Officers In Chesterfield County For A Period Of Over Five Years To The Treasurer Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Chesterfield County—transfer of certain trust funds.**—Any trust fund which has been in the hands of any officer of Chesterfield County for a period in excess of five years shall be transferred to the treasurer of the county. The transfer shall take place immediately following the annual audit of the accounts of

the particular county officer concerned, which audit is next after the expiration of the five year period. The account itself shall be marked so as to show that the transfer has been completed and the books of the officer from whose account the trust fund was transferred shall indicate the transfer was made pursuant to the provisions of this act. The auditor's report shall also indicate that the particular account has been in the hands of the county officer in excess of five years and was ordered transferred to the treasurer of the county in accordance with the terms of this act. The county treasurer shall place the fund in the general fund of the county and shall file all papers in connection therewith for safekeeping.

**SECTION 2. Rightful owners may claim funds.**—The proceeds of any trust fund, which was transferred into the general fund of Chesterfield County pursuant to the terms of this act, shall be turned over to the rightful owner upon application to the treasurer and proof to the satisfaction of the treasurer that the applicant is legally entitled to be possessed of the proceeds of the fund. The proceeds of the funds shall be turned over to the rightful owner without any accrued interest by reason of the retention of the fund by the county treasurer.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R274, H1480)

**No. 155**

**An Act To Define The Manufacturing Of Bakery Products.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Manufacture of bakery products defined.**—For the purpose of Chapter 1 of Title 64 of the 1962 Code, the manufacturing of bakery products is defined as being a chemical manufacturing process requiring continuous, uninterrupted operation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R275, H1554)

## No. 156

**An Act To Create The Piedmont Park Fire District In Greenville County; To Establish A Governing Commission And To Prescribe The Functions And Powers Therefor; To Provide For The Borrowing Of Money, Including The Issuance Of Not Exceeding Two Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of The District; To Make Provision For Payment; And To Provide A Penalty.**

Whereas, the General Assembly of South Carolina, after due investigation, has found that the area in Greenville County described below has become populated to an extent that makes it necessary and desirable for the area to be served by a publicly operated fire protection district; and

Whereas, as a consequence of its findings, the General Assembly has determined to constitute the area as a special purpose district, to provide a governing body for the district, and to empower the governing body as hereinafter provided for in this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Piedmont Park Fire District created — area.—**

There is hereby created and established in Greenville County a special purpose district to be known as "Piedmont Park Fire District" which district shall be a public corporation. The district shall consist of that area of Greenville County, which is commonly known as Piedmont Park and having the following boundaries, generally described as follows: Lying to the north of the City of Greenville in an area bounded by Beverly Road, Rutherford Road, Belvue Road, Williams Street, Piedmont Park Road, Mountain Creek Road, State Park Road, Buckhorn Road and Mountain Creek Road, as is more specifically described below.

BEGINNING at a point in the center line of Mt. Creek Road (S. C. Hwy. No. 253) which is 200' to the west of its intersection with Beverly Road; thence proceeding in a southeasterly direction, maintaining 200' to the southwest of Beverly Road to an intersection with the Southern Railway right of way; thence along the Southern Railway right of way in a northeasterly direction about 3200' to a point; thence north 47-11 W. about 600' to a point which is to the center of Catalina Drive (Arlington Road); thence N. 26-0 W. 122' to a point; thence N. 19-40 W.

795' to a point; thence N. 4-55 E. 403' to a point; thence N. 32-30 E. 660' to a point; thence S. 77-51 E. 188' to a point; thence S. 39-27 E. 1996' to a point on the Southern Railway right of way; thence along the Southern Railway right of way in a northeasterly direction about 2100' to a point; thence in a northerly direction about 200' to the property corner of the Southern Worsted Mills, Inc.; thence following this property line in a northerly direction to a point which is about 200' to the north of the end of Montgomery Street; thence turning in a westerly direction for about 600' to a point which is 200' from the centerline of Emma Street; thence in a northerly direction about 1000' to a point which is about 200' to the north of the end of Emma Street; thence in a westerly direction about 650' to a point in the centerline of Gin House Road; thence proceeding in a westerly direction 200' to a point west of Gin House Road; thence in a southerly direction 200' west of Gin House Road about 1600' to a point 200' to the north of the centerline of Belvue Road; thence in a northwesterly direction, maintaining 200' from Belvue Road about 1700' to a point which is 200' to the southeast of Parker Street; thence in a northeasterly direction, maintaining 200' from Parker Street to a point which is 200' to the east of the intersection of Parker Street and Williams Street; thence in a northerly direction, maintaining 200' to the east of Williams Street to a point which is 200' to the east of Piedmont Park Road; thence in a northerly direction, maintaining 200' from Piedmont Park Road about 900' to a point which is 200' to the south of Carolina Drive; thence in an easterly direction about 1600' to a point, maintaining 200' to the south of Carolina Drive; thence in a northerly direction 400' to a point; thence in a westerly direction about 1600' maintaining 200' to the north of Carolina Drive to a point 200' to the east of Piedmont Park Road; thence in a northerly direction to a point on the centerline of Mt. Creek Road; thence in a northwesterly direction about 200' to a point in the centerline of Piedmont Park Road; thence in a southwesterly direction about 2300' maintaining 200' to the northwest of Mt. Creek Road to its intersection with a point which is 200' to the east of State Park Road; thence in a northerly direction, maintaining 200' to the east of State Park Road to a point which is about 300' northeast of the intersection with Buckhorn Road; thence in a westerly direction crossing State Park Road at a

point 200' north of said intersection; thence following Buckhorn Road in a westerly and southerly direction, maintaining 200' to the north and the west of Buckhorn Road to a point 200' west of its intersection with Mt. Creek Road; thence following a line in a southwesterly direction 200' to the northwest of Mt. Creek Road to a point which is about 250' to the northwest of its intersection with Beverly Road; thence in a southerly direction to the starting point, all of which will be more fully shown on a map of Piedmont Fire District, Greenville County, South Carolina, dated February, 1963, and to be recorded in the Register of Mesne Conveyances Office for Greenville County. Reproductions of the plat shall also be filed in the offices of the Auditor and Treasurer for Greenville County prior to the issuance of said bonds pursuant to the authorization of this act.

**SECTION 2. To be governed by a commission—members—election—terms—vacancies.**—The district shall be governed by a commission to be known as Piedmont Park Fire District Commission. The commission shall consist of three resident electors of the district who shall be elected by the qualified electors of the district. The election shall be conducted by the Greenville County Elections Commission upon a date set by the Election Commission, and the Election Commission shall certify the three candidates receiving the highest vote as the elected commissioners of the district. The successful candidates after being certified shall be appointed by the Governor for a term of four years, or until their successors are elected and qualified. All terms of commissioners shall be for a term of four years. Any vacancy occurring on the commission by reason of death, resignation, or otherwise, shall be filled for the remainder of the unexpired term by appointment of the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenville County, including the Senator. Upon any commissioner moving out of the area of the district, his position becomes automatically vacant.

Any resident qualified elector of the district may be a candidate for the position of commissioner by filing with the County Elections Commission such intention at least two weeks prior to the election.

**SECTION 3. Powers and duties.**—There is committed to the district the functions of constructing, operating, maintaining, improving and extending a fire protection and fire control district. To that end the commission shall be empowered as follows:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulations of its affairs.
5. Acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal or mixed, or any interest therein.
6. Build, construct, operate, and maintain water lines and water mains throughout the district and all apparatus necessary for the proper functioning of same in the control and prevention of fires.
7. Purchase or otherwise acquire a supply of water sufficient to furnish proper fire protection and fire control to residents of the district.
8. Enter into contracts for the purchase of water and for maintenance of water pipes, hydrants, valves, and all equipment necessary to provide water for protection against and control of fire.
9. Appoint officers, agents, employees and servants, prescribe the duties of such, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.
10. Make contracts for construction, engineering and other services with or without competitive bidding.
11. To purchase such fire fighting equipment as the commission deems necessary for controlling fires and furnishing fire protection in the district.
12. To select the sites or places within the area where the fire fighting equipment shall be kept.
13. To provide personnel, voluntary or otherwise, necessary to man such equipment.
14. To provide and supervise the training of any volunteers used in manning such equipment with the end that the equipment shall be fully utilized for the protection and control of fire within the district.
15. To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to make regular inspection of all equipment and operations.
16. To promulgate such rules and regulations as it may deem necessary and proper to insure that the equipment shall be utilized for the best advantage of the area.
17. To construct, if necessary, buildings to house the equipment provided for herein.
18. The commission is empowered to issue not exceeding two hundred seventy-five thousand dollars of general obligation bonds of the

district, the proceeds of which shall be used to defray the costs of constructing and establishing a fire protection and control system in the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired which are deemed necessary for such fire protection system, the cost of all machinery, equipment, and apparatus needed therefor, payment to contractors, laborers, or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and such other expenses as may be necessary or incidental to the construction of a fire control or fire protection system, and the placing of same in operation. General obligation bonds shall be issued only in the event the election provided for in this act shall result favorably. If pursuant to this paragraph, the bonds are issued :

(a) They shall be issued as a single issue, or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

(d) Such bonds shall be executed in the name of "Piedmont Park Fire District" by the Chairman of the Piedmont Park Fire District Commission and by the Treasurer of Greenville County and under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the Chairman of the Piedmont Park Fire District and the Treasurer of Greenville County who are in office at the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in offices occurring after such execution or authentication.

(e) There shall be irrevocably pledged for the payment of the bonds and interest, as the same mature, the full faith, credit and resources of the district and the auditor and Treasurer of Greenville County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Greenville County prior to the occasion when the auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this paragraph need not, in the discretion of the commission, be exclusive and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of

the commission for the purposes specified herein, and no others except that any premium received shall be deposited with the Treasurer of Greenville County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenville County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

19. The Election Commission for Greenville County shall make provision for the holding of a special election in the district, on a date to be fixed by the Election Commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by paragraph 3 of this section. The election shall be conducted by the commissioners of election for Greenville County who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as the same are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the primary purpose or purposes for which the proceeds of the bond issue are to be expended and with the blank set forth therein approximately completed. The question shall be substantially in the following form:

“Shall the Piedmont Park Fire District issue bonds in a sum not exceeding two hundred seventy-five thousand dollars, the proceeds of which shall be used to construct and establish a fire prevention and fire control system in the district?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word “NO”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets,

to the Commissioners of Election for Greenville County, who shall declare the result of the election. If the commissioners determine that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in paragraph 18 of this section; but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued under the provisions of paragraph 18 of this section. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

20. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

21. The commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax therefor. The commission shall notify the auditor and treasurer of any desired tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

**SECTION 4. Revenues.**—All revenues derived by the commission from the operation of any revenue-producing facility, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the commission from time to time for the purpose of the district.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by any revenue-producing facility of the district, as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—The property of and income of the district shall be exempt from all taxes levied by the State, county, or any municipality, division, subdivision or agency thereof direct or indirect.

**SECTION 7. Obligations not to be impaired.**—So long as the district shall be indebted to any person, on any bonds, notes or other

obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

**SECTION 8. Supervision of equipment.**—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its usage and operation, and it shall be his responsibility to insure that the equipment is readily available for use at all times.

**SECTION 9. Enforcement of laws by members.**—All members of the truck company or fire districts, employees or volunteers may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

**SECTION 10.—Unlawful acts—penalties.**—It shall be unlawful for any person to wilfully destroy or damage any facility of the district, or equipment incident thereto or used in the operation of such facility, or to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding one hundred dollars or be imprisoned not exceeding thirty days.

**SECTION 11. Certain powers not to extend to public utilities.**—The power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain.

**SECTION 12. Saving clause.**—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

**SECTION 13. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R279, H1588)

**No. 157**

**An Act To Provide For The Issuance Of Construction Permits In Newberry County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Building permits required in Newberry County.—**

It shall be unlawful for any person to construct or improve any building at a cost in excess of five hundred dollars, in Newberry County, unless an application has been filed with and a permit granted by the county auditor, tax assessor or magistrate for such construction or improvement; *provided*, that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

**SECTION 2. Application forms.—**The auditor shall prepare and furnish the application forms, which shall show information to be of assistance to the tax assessor in locating the real estate on which the construction or improvement is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permits.—**The auditor, tax assessor or magistrate shall issue the permit upon the applicant's paying a fee of one dollar which shall be paid to the county treasurer for deposit in the general fund of the county. The permit shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the tax assessor.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish copies of permits.**—Every municipality in the county, requiring permits for the construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the auditor and tax assessor copies of all permits issued by the municipality.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Electricity not to be furnished without permit.**—It shall be unlawful for any electric utility company or rural electric cooperative to make a few connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R282, H1328)

No. 158

**An Act To Amend Section 15-286 Of The 1962 Code, Relating To Terms Of Court In The Fourteenth Circuit, So As To Further Provide For The Terms In Colleton County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Item (3) of Section 15-286 of the 1962 Code amended—terms of court for Colleton County.**—Item (3) of Section 15-286 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“(3) *Colleton County.*—The courts of general sessions for Colleton County shall be held at Walterboro on the second Monday in January

for one week, on the first Monday in April for one day only, on the second Monday in June for one week and on the third Monday in September for one week. The courts of common pleas for the county shall be held at Walterboro on Tuesday following the first Monday in April for the remainder of the week, on the second Monday in April for one week, on the fourth Monday in May for one week, on the fourth Monday in October for one week and on the second Monday in December for one week. At the court of general sessions to be held on the second Monday in January of each year at Walterboro the court may dispose of equity cases, motions, demurrers and nonjury matters arising in any of the several counties of the fourteenth judicial circuit."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R283, H1369)

**No. 159**

**An Act To Authorize The Budget And Control Board To Grant Easements For Roads, Highways, Power Lines, Pipelines, Water And Sewer Lines And Railroad Facilities Over The Vacant Property Of The State And Over State-Owned Marshlands; And Empower The Trustees, Boards And Agencies Of The State To Grant Such Easements Over Property Under Their Control, With The Concurrence Of The Budget And Control Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Budget and Control Board may grant certain easements.**—The State Budget and Control Board is authorized to grant easements and rights of way to any person for construction and maintenance of power lines, pipelines, water and sewer lines and railroad facilities over, on or under such vacant lands or marshland as are owned by the State, upon payment of the reasonable value thereof.

**SECTION 2. Rights of way over marshlands may be granted to agencies and subdivisions of State.**—The State Budget and Control Board may grant to agencies or political subdivisions of the State, without compensation, rights of way through and over such marsh-

lands as are owned by the State for the construction and maintenance of roads, streets and highways or power or pipe lines, if, in the judgment of the Budget and Control Board, the interests of the State will not be adversely affected thereby.

**SECTION 3. State institutions and agencies may grant easements.**—The trustees or governing bodies of State institutions and agencies may grant easements and rights of way over any property under their control, upon the concurrence and acquiescence of the State Budget and Control Board, whenever it appears that such easements will not materially impair the utility of the property or damage it and, when a consideration is paid therefor, any such amounts shall be placed in the State Treasury to the credit of the institution or agency having control of the property involved.

**SECTION 4. Execution of instruments.**—Deeds or other instruments conveying such rights of way or easements over such marshlands or vacant lands as are owned by the State shall be executed by the Governor in the name of the State, when authorized by resolution of the Budget and Control Board, duly recorded in the minutes and records of such Board and when duly approved by the office of the Attorney General; deeds or other instruments conveying such easements over property in the name of or under the control of State agencies, institutions, commissions or other bodies shall be executed by the majority of the governing body thereof, shall name both the State of South Carolina and the institution, agency, commission or governing body as grantors, and shall show the written approval of the majority of the members of the State Budget and Control Board.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R284, H1476)

No. 160

**An Act To Ratify An Amendment To Section 5 Of Article X Of The Constitution Of South Carolina, 1895, Relating To School Bond Indebtedness, So As To Increase The Limits In School District No. 7 Of Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Amendment to Article X, Section 5, State Constitution, ratified—bonded indebtedness of School District 7 of Spartanburg County.**—The amendment to Section 5 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a joint resolution appearing in the Acts and Joint Resolutions of the General Assembly of South Carolina, 1962, as No. 1223, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there shall be added at the end of Section 5 of Article X the following: “*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Spartanburg School District No. 7 of Spartanburg County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding twelve per cent of the assessed value of all taxable property therein.”

Ratified the 30th day of April, 1963.

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(R287, H1533)

**No. 161**

**An Act To Provide For The Temporary Exercise Of The Powers And Duties Of Certain Williamsburg County Officials.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Williamsburg County officers—temporary vacancies.**—In the event of the temporary disability of the holders of the following county offices in Williamsburg County, or a vacancy in any such office pending appointment pursuant to Section 14-302 of the 1962 Code, the powers and duties of the offices shall be exercised by the following designated county officials:

- (a) Office of the Clerk of Court—Judge of Probate
- (b) Office of the Judge of Probate—Clerk of Court
- (c) Office of the County Auditor—County Treasurer
- (d) Office of the County Treasurer—County Auditor
- (e) Office of the County Supervisor—The member of the County Board of Commissioners formally designated by the board.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R289, H1540)

**No. 162**

**An Act To Amend Section 65-1551 Of The 1962 Code, Relating To Exemptions From Taxation Of Certain Industries In Dorchester County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-1551, 1962 Code, amended—manufactories in Dorchester County exempt from taxes.**—Section 65-1551 of the 1962 Code is amended by inserting at the end of line 1 “engaged in manufacturing or processing,” and by striking the word “fifteen” beginning on line 3 and inserting “twenty-five” and by adding after the word “more” on line 4 “and employing twelve or more persons,” and by adding at the end of the section the following: “Application for exemptions shall be filed with the County Auditor.” so that, when so amended, the section shall read as follows: “Section 65-1551. All new industries engaged in manufacturing or processing, whether corporations, partnerships or individuals, located in Dorchester County and having a paid-in capital stock, investment or assets of twenty-five thousand dollars or more, and employing twelve or more persons, shall be exempt from all county, municipal and school district taxes for a period of five years. Application for exemptions shall be filed with the County Auditor.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R290, H1544)

**No. 163**

**An Act To Provide That The Owners Of Subdivided Property Shall Return Such Property For Tax Purposes As Lots Rather Than As Acres In Pickens County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Subdivided property in Pickens County to be taxed as lots.**—In Pickens County when real property is subdivided for the purpose of sale and is sold or offered for sale the property shall thereafter be returned for property tax purposes by the owner on a lot basis rather than on an acreage basis. The return shall reflect the name of the subdivision in which the lots are located.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R291, H1545)

**No. 164**

**An Act To Provide That The Provisions Of Chapter 28 Of Title 56 Of The Code Of Laws Of South Carolina, 1962, Relating To The South Carolina Real Estate Commission, Shall Apply To Orangeburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain real estate laws to apply to Orangeburg County.**—The provisions of Chapter 28 of Title 56 of the 1962 Code shall apply to Orangeburg County and any person who has been engaged as a real estate broker, counselor, real estate salesman, appraiser or property manager in the county for one year next preceding the effective date of this act, and has for such a period of one year or more been engaged actively in such business, may secure a license from the South Carolina Real Estate Commissioner without examination, provided that such person shall make application therefor as provided by Chapter 28 of Title 56 of the Code of 1962 within ninety days after the effective date of this act.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R295, H1579)

**No. 165**

**An Act To Amend Section 15-1691.6 Of The 1962 Code Relating To A Tax Levy For The Support Of The Criminal, Juvenile And Domestic Relations Court Of York County, So As To Further Provide For The Expenses Of The Court.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1691.6 of the 1962 Code, amended—appropriation.**—Section 15-1691.6 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 15-1691.6. An appropriation to cover the costs of operating the court shall be made in the York County Annual Appropriations Act.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R296, S315)

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**No. 166**

**An Act Making It Unlawful To Own Or Keep Vicious Dogs In Beaufort County Except Under Certain Conditions, And Providing Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Unlawful to keep vicious dogs in Beaufort County.**—It shall be unlawful to own or keep a vicious dog within the confines of Beaufort County unless such vicious dog be securely muzzled or securely confined within such owner's or keeper's private premises. The term “vicious dog” shall be construed to mean any dog evidencing characteristics usually associated with a dog abnormally inclined to attack or to attempt to attack other animals or persons without provocation by such other animal or person.

**SECTION 2. Penalties.**—Any person violating the provisions of this act shall, upon conviction, be subject to a fine of not more than fifty dollars or imprisonment for not more than thirty days, in the discretion of the court.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R297, S300)

**No. 167**

**An Act Providing For The Open Season For The Hunting Of Squirrel In Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Squirrel season for Williamsburg County.**—In Williamsburg County squirrel may be hunted between September fifteenth and Thanksgiving Day with guns only, and from Thanksgiving Day to March first with dogs and guns.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R298, S204)

**No. 168**

**An Act To Amend Section 33-265, Of The 1962 Code, Relating To The Highway Department Bond Sinking Fund, So As To Further Define The Extent To Which Payments Shall Be Made To The Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 33-265, 1962 Code, amended—sinking fund established for Highway Department.**—Section 33-265, of the 1962 Code, is amended to read as follows :

“Section 33-265. A sinking fund for the retirement of such State highway bonds or State highway certificates of indebtedness is hereby established. If, during any year the value of the cash and securities in the sinking fund is, for any ensuing year, less than two hundred per cent of the maximum annual debt service of State highway indebtedness as defined in Section 33-252, and the revenues from the gasoline tax and motor vehicle license tax received by the

highway department are more than five per cent in excess of such revenues of the preceding fiscal year, one half of such excess shall be contributed in such fiscal year to the sinking fund. In determining the amount of the sinking fund payments required by this section the additional revenue accruing to the department under Sections 65-1062.1 and 65-1081.1 shall not be considered."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R299, S291)

No. 169

**An Act To Amend Sections 15-1432 And 15-1434 Of The 1962 Code Relating To The Offices Of Youth Guidance Counselor And Assistant Youth Guidance Counselor In Anderson County, So As To Make Further Provision For The Eligibility For, Appointment To, And Terms Of Such Offices, To Transfer To The County Court Of Anderson County The Jurisdiction And Control Of Matters Relating To Such Offices, And To Repeal Section 15-1433 Of The 1962 Code Relating To The Qualification Requirements Of Such Offices.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1432, 1962 Code, amended—office of youth guidance counselor established for Anderson County.**—

Section 15-1432 of the 1962 Code is amended by striking beginning on line two the following: "The regular term of office of the youth guidance counselor shall be for four years, and until his successor is appointed and qualifies. He shall be appointed by the resident circuit judge." and inserting in lieu thereof the following: "He shall have the attributes of personality and character such as fit him for the duties of the office and shall be appointed by and serve at the pleasure of the Judge of the County Court of Anderson County." The section when amended shall read as follows:

"Section 15-1432. There is hereby established in Anderson County an office which is designated as 'youth guidance counselor.' He shall have the attributes of personality and character such as fit him for the duties of the office and shall be appointed by and

serve at the pleasure of the Judge of the County Court of Anderson County. His compensation shall be such as may be fixed in the annual county appropriation act. The youth guidance counselor shall have the same authority and powers as a deputy sheriff."

**SECTION 2. Section 15-1434, 1962 Code, amended—assistant youth guidance counselor.**—Section 15-1434 of the 1962 Code is amended by striking beginning on line six the following sentence in its entirety. "The assistant youth guidance counselor shall be a woman and shall otherwise possess the qualifications provided for the youth guidance counselor in Section 15-1433." The section when amended shall read as follows:

"Section 15-1434. There shall be an assistant youth guidance counselor in Anderson County, whose term of office and method of appointment shall be the same as that provided in this chapter for the youth guidance counselor. The compensation for the assistant youth guidance counselor shall be such as may be fixed in the annual county appropriation act. The assistant youth guidance counselor shall have the same powers as are now given to deputy sheriffs by law."

**SECTION 3. Certain matters transferred to County Court.**—Notwithstanding the provisions of Chapter 14, Title 15, of the 1962 Code, the exclusive or concurrent jurisdiction and control of matters arising in the administration of such chapter are hereby transferred to the County Court of Anderson County.

**SECTION 4. Section 15-1433, 1962 Code, repealed.**—Section 15-1433 of the 1962 Code is repealed.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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**An Act To Allow Chesterfield County To Destroy County Claim Forms Or Vouchers Over Fifteen Years Old.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Old claims against Chesterfield County may be destroyed.**—Any or all claims filed against Chesterfield County

over fifteen years old, which are on file in the office of the County Commissioners for Chesterfield County, may, at the discretion of the Board of County Commissioners, be destroyed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R303, H1593)

No. 171

**An Act To Provide For Building Permits In Dorchester County; To Prohibit Electric Companies From Making Electrical Connections To Buildings Constructed Without A Permit; to Provide A Penalty For Violations And To Repeal An Act Of 1963 Bearing Ratification No. 166 Relating To Building Permits In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Dorchester County—municipalities to furnish copies of.**—Before any person constructs any new building or any addition to an existing building in Dorchester County, which construction shall cost five hundred dollars or more, he shall obtain from the Auditor of Dorchester County, or any magistrate designated by the auditor, a building permit which shall be executed before any construction shall be commenced. A charge of fifty cents shall be made for such building permits; *provided*, that no permit shall be required for such construction upon real estate situate within any incorporated municipality which requires a permit for the erection or construction of such improvements; *provided*, further, every municipality in the county, requiring permits for the erection or construction of any improvements upon real estate situate within the municipality, shall furnish to the auditor and tax assessor copies of all permits issued by the municipality.

**SECTION 2. Application forms.**—The auditor shall prepare application forms which shall show information to be of assistance to the office of the auditor in locating the real estate on which such improvements are due to be made and in checking tax returns. Such information shall include: (a) School District; (b) Name of owner of real estate; (c) Name of road or rural route and box number;

(d) Estimated cost of construction; (e) Use to be made of improvements; and (f) Approximate completion date.

**SECTION 3. Auditor may inspect buildings.**—The auditor shall have the right to inspect premises and buildings or improvements when completed.

**SECTION 4. Penalties.**—Any person violating any provision of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed fifty dollars.

**SECTION 5. Electricity not to be furnished without permit.**—It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R305, H1591)

**No. 172**

**An Act To Provide For The Governments Of Florence County And The City Of Florence By Amending Section 14-1951 Of The 1962 Code, Relating To The Governing Board Of Florence County, So As To Further Provide For Vacancies; And By Amending The 1962 Code By Adding New Section 14-1951.1, So As To Provide For The Terms Of Office Of Members Of The Governing Board Of Florence County And To Provide For The Districts From Which They Shall Be Appointed; And By Amending Section 47-1579.12 Of The Code Of 1962, So As To Alter The Compensation Of The Mayor And Council Of The City Of Florence.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-1951, 1962 Code, amended—governing board of Florence County—members—appointments—vacancies.**

—Section 14-1951 of the 1962 Code is amended by striking all of the second sentence and inserting in lieu thereof the following: “Any vacancy shall be filled for the unexpired term in the manner provided for an original appointment.”, so that when so amended the section shall read as follows:

“Section 14-1951. The governing board of Florence County shall consist of seven members to be appointed by the Governor upon the recommendation of a majority of the legislative delegation of the county. Any vacancy shall be filled for the unexpired term in the manner provided for an original appointment.”

**SECTION 2. Code of 1962 amended—Section 14-1951.1 added—districts members to be appointed from—terms.**—The 1962 Code is amended by adding new Section 14-1951.1 which shall read as follows:

“Section 14-1951.1. One member of the governing board shall be appointed from each of the following districts: District No. 1, Florence No. 1, Florence No. 2, Florence No. 3, Florence No. 4, Five Points, Florence Railroad Shops, Back Swamp, Ebenezer, Coles Cross Roads; District No. 2, Claussen, Evergreen, Mars Bluff, Tans Bay; District No. 3, Timmons ville, Cartersville, Glenwood, James Crossroad, Elim, Oak Grove; District No. 4, Olanta, Cowards No. 2, West; Salem, McAllisters Mills, Cowards No. 1, East; District No. 5, Pamplico, Hannah, Effingham, Friendfield; District No. 6, Lake City No. 1, Lake City No. 2, High Hill, McCutchen, Scranton, Liberty, Leo; and District No. 7, Johnsonville, Kingsburg, Prospect, Stone, Vox.

The members shall be qualified electors residing in the district from which appointed and shall serve terms of four years. The office of any member who moves out of his district shall be declared vacant. *Provided*, the terms of the current members of the board from Districts 1, 4, 5 and 6 shall terminate on December 31, 1966, and the terms of those from Districts 2, 3 and 7 shall terminate on December 31, 1968.”

**SECTION 3. Section 47-1579.12, 1962 Code, amended—compensation of mayor and councilmen.**—Section 47-1579.12, of the Code of 1962, is amended to read as follows:

“The mayor shall receive a salary not to exceed twenty-four hundred dollars per annum, payable monthly, and each of the councilmen shall receive a salary not to exceed eighteen hundred dollars per an-

num, payable monthly. *Provided*, that the provisions of this act shall not apply to the incumbents of the offices whose terms have not expired prior to the effective date of the act."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R306, H1602)

**No. 173**

**An Act To Authorize The Chester County School Board Of Trustees To Levy Certain Taxes For School Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Chester County—levying of taxes for schools.**—The Chester County School Board of Trustees is authorized to levy taxes sufficient to operate the public schools for the fiscal year 1963-1964 on the same basis as the fiscal year 1962-1963, not to exceed ten mills.

The board is authorized to levy an additional three mills each year after the fiscal year 1963-1964, if so much be necessary.

The board may after the fiscal year 1963-1964 reduce the school levy.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

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(R308, H1438)

**No. 174**

**An Act To Require That Those Buildings And Facilities, Constructed In The State By The Use Of State, County Or Municipal Funds, Shall Adhere To The Principles Prescribed By This Act In Order To Make These Buildings And Facilities Accessible To, And Useable By, The Physically Handicapped.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act applicable to certain public buildings.**—The standards and specifications set forth in this act shall apply to all

buildings and facilities used by the public which are constructed in whole or in part by the use of State, county or municipal funds, or the funds of any political subdivision of the State. All such buildings and facilities constructed in this State after the effective date of this act from any one of these funds or any combination thereof shall conform to each of the standards and specifications prescribed herein except where the authority responsible for the proper construction for the particular governmental department, agency or unit concerned shall determine, after taking all circumstances into consideration, that full compliance with any particular standard or specification is impracticable. These standards and specifications shall be adhered to in those buildings and facilities under construction on the effective date of this act, unless the authority responsible for the construction shall determine that the construction has reached a state where compliance is impractical. This act shall apply to temporary or emergency construction as well as permanent buildings.

**SECTION 2. Intent of act.**—(a) This act is concerned with non-ambulatory disabilities, semiambulatory disabilities, sight disabilities, hearing disabilities, disabilities of incoordination, and aging.

(b) It is intended to make all buildings and facilities covered by this act accessible to, and functional for, the physically handicapped to, through, and within their doors, without loss of function, space, or facility where the general public is concerned.

**SECTION 3. Definitions.**—For the purposes of this act the following terms shall have the meanings as herein set forth:

(a) “Nonambulatory disabilities” shall mean impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheel chairs.

(b) “Semiambulatory disabilities” shall mean impairments that cause individuals to walk with difficulty or insecurity. Individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills may be semiambulatory.

(c) “Sight disabilities” shall mean total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger.

(d) “Hearing disabilities” shall mean deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.

(e) “Disabilities of incoordination” shall mean faulty coordination or palsy from brain, spinal or peripheral nerve injury.

(f) "Aging" shall mean those manifestations of the aging processes that significantly reduce mobility, flexibility, coordination, and perceptiveness but are not accounted for in the aforementioned categories.

(g) "Standard" shall mean that when this term appears in small letters it is descriptive and shall mean typical type.

(h) "Fixed turning radius, wheel to wheel" shall mean the tracking of the caster wheels and large wheels of a wheel chair when pivoting on a spot.

(i) "Fixed turning radius, front structure to rear structure" shall mean the turning radius of a wheel chair, left front-foot platform to right rear wheel, or right front-foot platform to left rear wheel, when pivoting on a spot.

(j) "Involved (involvement)" shall mean a portion or portions of the human anatomy or physiology, or both, that have a loss or impairment of normal function as a result of genesis, trauma, disease, inflammation, or degeneration.

(k) "Ramps, ramps with gradients" shall mean ramps with gradients (or ramps with slopes) that deviate from what would otherwise be considered the normal level. An exterior ramp, as distinguished from a "walk", shall be considered an appendage to a building leading to a level above or below existing ground level. As such, a ramp shall meet certain requirements similar to those imposed upon stairs.

(1) "Walk, walks," shall mean a predetermined, prepared-surface, exterior pathway leading to or from a building or a facility, or from one exterior area to another, placed on the existing ground level and not deviating from the level of the existing ground immediately adjacent.

(m) "Appropriate number" shall mean the number of a specific item that would be reasonably necessary, in accord with the purpose and function of a building or facility, to accommodate individuals with specific disabilities in proportion to the anticipated number of individuals with disabilities who would use a particular building or facility.

**SECTION 4. Design criteria.**—The following design criteria shall be applicable:

(a) The collapsible-model wheel chair of tubular metal construction with plastic upholstery for back and seat is most commonly used. The standard model of all manufacturers falls within the following limits, which are used as the basis of consideration:

(1) Length: 42 inches

- (2) Width, when open: 25 inches
- (3) Height of seat from floor: 19½ inches
- (4) Height of armrest from floor: 29 inches
- (5) Height of pusher handles (rear) from floor; 36 inches
- (6) Width, when collapsed: 11 inches

(b) The fixed turning radius of a standard wheelchair, wheel to wheel, is 18 inches. The fixed turning radius, front structure to rear structure, is 31.5 inches.

(c) The averaging turning space required (180 and 360 degrees) is 60 x 60 inches.

(d) A minimum width of 60 inches is required for two individuals in wheelchairs to pass each other.

(e) In a wheelchair the average unilateral vertical reach is 60 inches and ranges from 54 inches to 78 inches.

(f) The average horizontal working (table) reach is 30.8 inches and ranges from 28.5 inches to 33.2 inches.

(g) The bilateral horizontal reach, both arms extended to each side, shoulder high, ranges from 54 inches to 71 inches and averages 64.5 inches.

(h) An individual reaching diagonally, as would be required in using a wall-mounted dial telephone or towel dispenser, would make the average reach (on the wall) 48 inches from the floor.

(i) Most individuals ambulating on braces or crutches, or both, or on canes are able to manipulate within the specifications prescribed for wheelchairs, although doors present quite a problem at times. However, a crutch tip extending laterally from an individual is not obvious to others in heavily trafficked areas, and not as obvious or protective as a wheelchair and is, therefore, a source of vulnerability.

(j) On the average, individuals 5 feet 6 inches tall require an average of 31 inches between crutch tips in the normally accepted gaits.

(k) On the average, individuals 6 feet 0 inches tall require an average of 32.5 inches between crutch tips in the normally accepted gaits.

**SECTION 5. Ground to be level—walkways—parking spaces.—**

(a) The grading of ground, even contrary to existing topography, so that it attains a level with a normal entrance will make a facility accessible to individuals with physical disabilities.

(b) Public walks shall be at least 48 inches wide and shall have a gradient not greater than 5 per cent. These walks shall be of a con-

tinuing common surface, not interrupted by steps or abrupt changes in level. Wherever walks cross other walks, driveways, or parking lots they shall blend to a common level. A walk shall have a level platform at the top which is at least 5 feet by 5 feet, if a door swings out onto the platform or toward the walk. This platform shall extend at least 1 foot beyond each side of the doorway. A walk shall have a level platform at least 3 feet deep and 5 feet wide, if the door does not swing onto the platform or toward the walk. This platform shall extend at least 1 foot beyond each side of the doorway.

(c) Spaces in parking lots that are accessible to the building or facility shall be set aside and identified for use by individuals with physical disabilities. An adequate parking space is one that is open on one side and which allows room for individuals in wheelchairs or individuals on braces and crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking. Parking spaces for individuals with physical disabilities when placed between two conventional diagonal or head-on parking spaces shall be 12 feet wide. Care in planning shall be exercised so that individuals in wheelchairs and individuals using braces and crutches are not compelled to wheel or walk behind parked cars. Consideration shall be given to the distribution of spaces for use by the disabled in accordance with the frequency and regularity of their parking needs. Walks shall be in conformity with Section 5 of this act.

**SECTION 6. General specifications.**—(a) Where ramps with gradients are necessary or desired, they shall conform to the following specifications: A ramp shall not have a slope greater than 1 foot rise in 12 feet, or 8.33 per cent, or 4 degrees 50 minutes. A ramp shall have handrails on at least one side, and preferably two sides, that are 32 inches in height, measured from the surface of the ramp, that are smooth, that extend 1 foot beyond the top and bottom of the ramp, and that as far as practicable conform with American Standard Safety Code for Floor and Wall Openings, and Toe Boards as promulgated by the American Standards Association, Inc.

(b) A ramp shall have a surface that is nonslip. A ramp shall have a level platform at the top which is at least 5 feet by 5 feet, if a door swings out onto the platform or toward the ramp. This platform shall extend at least 1 foot beyond each side of the doorway. A ramp shall have a level platform at least 3 feet deep and 5 feet wide, if the door does not swing onto the platform or toward the ramp. This platform shall extend at least 1 foot beyond each side of the doorway. Each

ramp shall have at least 6 feet of straight clearance at the bottom. Ramps shall have level platforms at 30 foot intervals for purposes of rest and safety and shall have level platforms wherever they turn. At least one primary entrance to each building shall be useable by individuals in wheelchairs. At least one entrance useable by individuals in wheelchairs shall be on a level that would make the elevators accessible.

(c) Doors shall have a clear opening of no less than 32 inches when open and shall be operable by a single effort. The floor on the inside and outside of each doorway shall be level for a distance of 5 feet from the door in the direction the door swings and shall extend 1 foot beyond each side of the door. Sharp inclines and abrupt changes in level shall be avoided at doorsills. As much as practicable, thresholds shall be flush with the floor.

(d) Stairs shall conform to standards of the American Standards Association, Inc., with the following additional considerations:

Steps in stairs shall be designed wherever practicable so as not to have abrupt (square) nosing. Stairs shall have handrails 32 inches high as measured from the tread at the face of the riser. Stairs shall have at least one handrail that extends at least 18 inches beyond the top step and beyond the bottom step. Steps should, wherever possible, and in conformation with existing step formulas, have risers that do not exceed 7 inches.

(e) Floors shall wherever practicable have a surface that is non-slip. Floors on the same story shall be of a common level throughout or be connected by a ramp in accord with Section 6 (a) through the first paragraph of Section 6 (b), inclusive.

(f) An appropriate number of toilet rooms, in accordance with the nature and use of a specific building or facility, shall be accessible to, and useable by, the physically handicapped.

Toilet rooms shall have space to allow traffic of individuals in wheelchairs, in accordance with Section 4.

Toilet rooms shall have at least one toilet stall that

- (1) Is 3 feet wide
- (2) Is at least 4 feet 8 inches, preferably 5 feet deep
- (3) Has a door (where doors are used) that is 32 inches wide and swings out
- (4) Has handrails on each side, 33 inches high and parallel to the floor, 1½ inches in outside diameter, with 1½ inches clearance between rail and wall, and fastened securely at ends and center
- (5) Has a water closet with the seat 20 inches from the floor.

Toilet rooms shall have lavatories with narrow aprons, which when mounted at standard height are useable by individuals in wheelchairs; or shall have lavatories mounted higher, when particular designs demand, so that they are useable by individuals in wheelchairs.

Mirrors and shelves shall be provided above lavatories at a height as low as practicable and no higher than 40 inches above the floor, measured from the top of the shelf and the bottom of the mirror.

Toilet rooms for men shall have an appropriate number of wall-mounted urinals with the opening of the basin 19 inches from the floor, or shall have floor-mounted urinals that are on level with the main floor of the toilet room.

Toilet rooms shall have an appropriate number of towel racks, towel dispensers, and other dispensers and disposal units mounted no higher than 40 inches from the floor.

(g) An appropriate number of water fountains or other water-dispensing means shall be accessible to, and useable by, the physically disabled.

Water fountains or coolers shall have up-front spouts and controls. Water fountains or coolers shall be hand-operated or hand and foot-operated.

(h) An appropriate number of public telephones shall be made accessible to, and useable by, the physically disabled.

Such telephones shall be placed so that the dial and the handset can be reached by individuals in wheelchairs.

An appropriate number of public telephones shall be equipped for those with hearing disabilities and so identified with instructions for use.

(i) Elevators shall be provided and shall be accessible to, and useable by, the physically disabled at all levels normally used by the general public. Elevator control buttons shall have identifying features for the benefit of the blind. Elevators shall allow for traffic by wheelchairs.

(j) Switches and controls for light, heat, ventilation, windows, draperies, fire alarms, and all similar controls of frequent or essential use, shall be placed within the reach of individuals in wheelchairs.

**SECTION 7. Facilities to be suitable for blind persons.**—Appropriate identification of specific facilities within a building used by the public is essential to the blind. Raised letters or numbers shall be used to identify rooms and offices. Such identification shall be placed on the wall, to the right or left of the door, at a height

between 4 feet 6 inches and 5 feet 6 inches, measured from the floor, and preferably at 5 feet. Doors that are not intended for normal use, and that are dangerous if a blind person were to exit or enter by them, shall be made quickly identifiable to the touch by knurling the door handle or knob.

**SECTION 8. Suitable facilities for deaf and blind—elimination of hazards.**—(a) Audible warning signals shall be accompanied by simultaneous visual signals for the benefit of those with hearing disabilities.

(b) Visual signals shall be accompanied by simultaneous audible signals for the benefit of the blind.

(c) Every effort shall be exercised to obviate hazards to individuals with physical disabilities.

(d) Access panels or manholes in floors, walks, and walls can be extremely hazardous, particularly when in use, and shall be avoided where possible.

(e) When manholes or access panels are open and in use, or when an open excavation exists on a site, particularly when it is approximate to normal pedestrian traffic, barricades shall be placed on all open sides, at least 8 feet from the hazard, and warning devices shall be installed in accord with the provisions of subsection (b) of this section.

(f) Low-hanging door closers that are within the opening of a doorway when the door is open, or that protrude hazardously into regular corridors or traffic ways when the door is closed, shall be avoided.

(g) Low-hanging signs, ceiling lights, and similar objects or signs and fixtures that protrude into regular corridors or traffic ways shall be avoided. A minimum height of 7 feet, measured from the floor, shall be had.

**SECTION 9. Lighting specifications.**—Lighting on ramps shall be at least equal to that prescribed by the specifications of American Standards Association, Inc. Exit signs shall be in accordance with specifications of American Standards Association, Inc., except as modified by Section 7 of this act.

**SECTION 10. Responsibility for enforcement of act.**—The responsibility for enforcement of this act shall be as follows:

(a) Where State school funds are utilized—the State Educational Finance Commission;

(b) Where State funds are utilized—the chief of the engineering staff of The State Budget and Control Board;

(c) Where funds of counties, municipalities or other political subdivisions are utilized—by the governing bodies thereof.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

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(R310, H1574)

**No. 175**

**An Act To Amend Section 65-1618.1 Of The 1962 Code, Relating To Returns Of Real Estate In Richland County, So As To Provide That No Such Returns Shall Be Required.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-1618.1, 1962 Code, amended—returns on real estate not required in Richland County.**—Section 65-1618.1 of the 1962 Code is amended to read as follows:

“Section 65-1618.1. Notwithstanding the provisions of Sections 65-1614 and 65-1616, returns of real estate and improvements thereon shall not be required on real estate situated in Richland County nor shall any penalty be assessed or collected for any failure to make such return.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R313, H1624)

**No. 176**

**An Act To Amend Section 14-1291 Of The 1962 Code Relating To The Board Of Township Commissioners For Sullivan's Island, So As To Provide That The Board Shall Be Composed Exclusively Of Elected Members Who May Be Either Registered Electors Of Or Owners Of Real Property In The Township; To Terminate The Office Of The Appointed Members Of The Present**

**Board And To Repeal Sections 14-1292 And 14-1293 Of The 1962 Code Relating To The Terms Of Office And Filling Of Vacancies On The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-1291, 1962 Code, amended—Board of Township Commissioners created for Sullivan's Island.**—Section 14-1291 of the 1962 Code is amended to read as follows :

"Section 14-1291. There is hereby created the Board of Township Commissioners for Sullivan's Island, which shall have charge of the governmental affairs of the township, including the powers and duties set forth in this article. The board shall be composed of five members who shall be registered electors of Sullivan's Island, or own real property on Sullivan's Island and reside within Charleston County. The members of the board shall be elected by the qualified electors of Sullivan's Island ; three of the members shall be elected at the general election held in 1962, two of the members shall be elected at the general election held in 1964, and their successors shall be elected at the general election immediately preceding the end of the term of office being filled. Members shall serve for terms of four years each and until their successors are elected and qualify. All terms shall commence on January first following the date of election. The candidates receiving the highest number of votes shall be declared elected regardless of whether or not a majority of the total vote is received. Vacancies in an unexpired term shall be filled for the unexpired portion of the term only by appointment of the Governor upon written recommendation of the Senator and a majority of the Charleston County Legislative Delegation within ten days after receipt by him of the recommendation."

**SECTION 2. When terms of present commissioners to expire.**—The provisions of Section 1 of this act shall not affect the validity of membership on the board by the two present gubernatorial appointees until December 31, 1964, at which time their terms of office shall terminate; the members elected at the 1964 general election shall assume the offices so vacated.

**SECTION 3. Sections 14-1292 and 14-1293, 1962 Code, repealed.**—Sections 14-1292 and 14-1293 of the 1962 Code are repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

(R317, H1299)

**No. 177****An Act Requiring All Nonresident Magazine Or Reading Club Salesmen In Darlington County To Register And Post Bond And To Provide Penalties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Nonresident magazine and reading club salesmen to be registered in Darlington County.**—All magazine and reading club salesmen who do not reside in Darlington County shall annually register with the Clerk of Court of Darlington County and post a five year bond of at least five thousand dollars before they sell any magazine or reading club subscription in the county.

**SECTION 2. Penalties.**—Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed one thousand dollars or imprisoned for a term not to exceed one year, or both, in the discretion of the court.

**SECTION 3. Time effective.**—This act shall take effect upon approval of the Governor.

Approved the 9th day of May, 1963.

(R318, H1590)

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**No. 178****An Act To Provide For A Referendum As To The Creation Of The Converse Area Fire District In Spartanburg County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Referendum concerning establishment of Converse Area Fire District.**—The Spartanburg County Commissioners of Election shall conduct a referendum on the second Tuesday in June, 1963, to ascertain the wishes of the qualified electors residing within the proposed Converse Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

**SECTION 2. Ballots and question.**—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: “Do you favor establishing and operating a rural fire department in the Converse area and the necessary tax levy?”

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to.’ ”

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Secretary of State.

**SECTION 3. District to be established if referendum favorable.**—If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Converse Area Fire District in Spartanburg County encompassed within the lines as shown on a plat recorded in the R.M.C. office of Spartanburg County in plat book 45, at pages 532, 533, 534, 535, 536 and 537.

**SECTION 4. Board established—members and terms.**—After the creation of the Converse Area Fire District, there is established a board of fire control for the district to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Spartanburg County Legislative Delegation. *Provided*, that of those first appointed one member shall serve for a term of two years, one member shall serve for a term of four years and one member shall serve for a term of six years or until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Spartanburg County Board of Control not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

**SECTION 5. Powers and duties.**—The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Converse Area Fire District is hereby irrevocably pledged for the payment of the indebtedness.

**SECTION 6. Tax levy.**—The Auditor and Treasurer of Spartanburg County are hereby directed to levy and collect a tax of not more than two mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

**SECTION 7. Supervision of equipment.**—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

**SECTION 8. Members to enforce fire laws.**—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

**SECTION 9. Unlawful acts—penalties.**—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R319, H1345)

**No. 179**

**An Act To Amend Section 14-1667 Of The 1962 Code Relating To The Powers Of The County Commission Of Darlington County, So As To Prohibit Conveyance Of Real Property Without Approval Of A Majority Of The County Legislative Delegation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-1667 (2) (c), 1962 Code, amended—powers of commission.**—Section 14-1667 (2) (c) of the 1962 Code is amended by adding at the end thereof the following: “*Provided, further, that no conveyance of real property shall be made without written approval of at least a majority of the county legislative delegation.*” The subparagraph when amended shall read as follows:

“(c) To lease, sell or otherwise dispose of real and personal property in the name of the county, including all property now owned by

the county; *provided*, always, that no lease or sale shall be effected except upon sealed proposals after notice thereof is given by published advertisement at least once not less than seven days prior to the occasion fixed for the opening of bids. *Provided*, further, that no conveyance of real property shall be made without written approval of at least a majority of the county legislative delegation."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R321, S229)

**No. 180**

**An Act To Amend Section 65-1404 Of The 1962 Code, Relating To Exemptions From The Sales Tax, So As To Exempt The Gross Proceeds Of Sales Of Motor Vehicles To Be Used In Another State.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-1404, 1962 Code, amended—sales tax exemptions—motor vehicles sold to certain nonresidents.**—Section 65-1404 of the 1962 Code is amended by adding a new subparagraph of the end of the section which shall read as follows:

"( ) The gross proceeds of sales of motor vehicles of a type required to be registered and licensed sold to nonresidents for immediate transportation to and use in another state; *provided*, the purchaser shall furnish an affidavit to the seller who shall furnish a copy thereof to the State Tax Commission as to the state in which such vehicle will be registered and operated and the street, city and state address of the purchaser; *provided*, further, that in addition to all other penalties and fines provided by law, any person who falsifies or conspires to falsify such affidavit or any seller who fails to furnish the Tax Commission with a copy of such affidavit within ten days after any such sale shall be subject to a penalty to be assessed and collected by the State Tax Commission in the manner provided in this chapter in an amount not to exceed one thousand dollars and shall be guilty of a misdemeanor and upon conviction shall be fined not more than one thousand dollars or be imprisoned for not more than one year or both in the discretion of the court."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R322, S257)

**No. 181**

**An Act To Amend Section 51-171 Of The 1962 Code, Relating To The Area Within Which Certain Cities May Acquire Property For Use As Parks, So As To Extend Such Area.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 51-171, 1962 Code, amended—acquisition of property for parks by certain cities.**—Section 51-171 of the 1962 Code is amended by striking the word “five” on line 3 and by inserting in lieu thereof the word “twenty” so that when so amended the section shall read as follows :

“Section 51-171. All cities of more than fifty thousand inhabitants, as determined by the most recent United States census, may own, buy or receive donations of lands and properties within the city limits, or within twenty miles of the corporate limits of any such city, to be used by the city for the purpose of creating and maintaining parks, playgrounds, athletic grounds or stadiums.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R323, H1183)

**No. 182**

**An Act To Amend Section 1-367 Of The 1962 Code, Relating To The Granting Of Licenses By The State Budget And Control Board To Dig, Mine And Remove Phosphate Rock Or Deposits, So As To Further Provide For The Issuance Of Licenses.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1-367, 1962 Code, amended—Budget and Control Board may grant licenses to mine phosphate.**—Section 1-

367 of the 1962 Code is amended by striking the word "grant" on line one and inserting the word "issue" and by striking on line two the words "applying for the same" and inserting the words "who applies", and by striking on line seven the words "a term not exceeding ten years, renewable" and inserting the words "such terms as may be determined by the Board, not in excess of ten years, and may be renewed for not more than ten years, by agreement of parties, and any further renewal at the pleasure of the Board." Amend further by adding at the end the following:

*"Provided, that prior to the issuance of any license, the Board shall cause to be published a notice of such application in a newspaper having general circulation in the county once a week for three successive weeks prior to the issuance. Provided, further, the licensee may not take possession if there be an adverse claim and the burden of proving ownership in the State shall be placed upon the licensee."*

When so amended, the section, shall read as follows:

"Section 1-367. The Board may issue to any person who applies for a license granting a general right to dig, mine and remove phosphate rock and phosphatic deposits from all the navigable streams, waters and marshes of the State and also from such of the creeks, not navigable, lying therein as may contain phosphate rock and deposits belonging to the State and not previously granted. Such licenses may be for such terms as may be determined by the Board, not in excess of ten years, and may be renewed for not more than ten years, by agreement of parties, and any further renewal at the pleasure of the Board. The Board may make a firm contract for the royalty to be paid the State which shall not be increased during the life of the license. *Provided, that prior to the issuance of any license, the Board shall cause to be published a notice of such application in a newspaper having general circulation in the county once a week for three successive weeks prior to the issuance. Provided, further, the licensee may not take possession if there be an adverse claim and the burden of proving ownership in the State shall be placed upon the licensee."*

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

(R324, H1368)

**No. 183**

**An Act To Establish A County Court For Anderson County; To Provide For Its Operation And Maintenance; To Provide Its Judge, Solicitor And Clerk Of Court; To Prescribe Their Duties And Authorities; To Prescribe The Jurisdiction, Powers And Procedures Of The Court; And To Provide A Title For The Judge Of The Court.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. County Court for Anderson County established.**

—A majority of the qualified electors of Anderson County voting in the general election of 1962, havng voted in favor of the establishment of a County Court for Anderson County as provided by a Joint Resolution No. 1029 of 1962; a County Court for Anderson County is hereby established with such jurisdiction, power and authority as is herein provided.

**SECTION 2. Judge—qualifications—appointment.**—The Judge of the Court shall be an Attorney at Law with at least five years active practice of law in this State, and a resident of the county. The Judge shall be appointed by the Governor upon the written recommendation of a majority of the members of the Anderson County Legislative Delegation for a term of four years and until his successor shall have been appointed and qualified. Any person and any group or association of persons may, if they so desire, recommend to the county legislative delegation, a person or persons to be appointed Judge and such recommendations shall be considered by, but not binding upon said delegation.

**SECTION 3. Salary—not to practice law.**—The annual salary of the County Judge shall be not less than twelve thousand and five hundred dollars, and shall be paid by the county in such installments as other county officials are paid. The judge of the County Court shall not engage in the practice of law, and shall maintain an office in the Anderson County Courthouse.

**SECTION 4. Special judge may be appointed.**—In case of the absence or inability to act of the County Judge at the time fixed for holding the terms of the court or in case of his disqualification of the trial of any case in the court, the Governor may, upon notice of the County Judge or a majority of the members of the Anderson County Bar Association, appoint some other suitable person, being

an attorney at law, to hold such term or terms of the County Court as may be designated by the Governor or to try any special case, as Special County Judge. Any such Special County Judge shall be entitled to the same per diem and mileage as Special Circuit Judges are allowed by law.

**SECTION 5. Solicitor.**—The Circuit Solicitor ex officio shall be the Solicitor for the County Court. In case of the sickness, disability or inability to serve of the Circuit Solicitor for any reason, at any term, or in any case, the County Court Judge may appoint some attorney to serve in his place. The Solicitor shall appear for and represent the State in all criminal cases tried in the County Court; he shall appear for and represent the State in all appeals from the County Court and he shall also appear for and represent the State in all appeals in criminal cases from Inferior Court to the County Court.

**SECTION 6. Stenographer—transcripts.**—The county shall provide a stenographer for the County Court, upon the recommendation of the County Judge, who shall attend upon the sessions of the court and perform the duties in connection therewith that the stenographer in the Circuit Court performs. The stenographer shall furnish transcripts of the proceedings upon request of the parties litigant or their attorneys, and shall be entitled to receive compensation therefor at the rate provided for by statute for Circuit Court reporters, for all transcripts so furnished, which compensation shall be paid by the litigant requesting the same except that in appeal in criminal cases when the defendant may satisfy the court that he is unable to pay for such transcript the same shall be furnished without fee by the Court Stenographer. The stenographer shall also serve as secretary to the County Judge. The transcripts of the record furnished by the stenographer to the solicitor shall be paid for by the county.

**SECTION 7. Clerk of court—fees—judgments.**—The clerk of the Circuit Court shall be ex officio clerk of the County Court and shall keep such calendars, minutes and records of the County Court and the cases therein pending and attend and perform the duties as the clerk thereof as required of him by law as clerk of the Circuit Court. The costs and fees of the clerk in civil cases in the County Court shall be the same as those allowed in similar cases in the Court of Common Pleas. In all civil cases tried in the County Court the clerk shall make up and file a judgment roll along with and in the same manner as if the judgment had been rendered in the Court of Common Pleas, whereupon such judgment shall have the same force

and effect and shall be subject to the same remedies as a judgment in the Circuit Court. He shall also enter the judgments in the abstracts of judgments of the Court of Common Pleas as if such judgments were judgments of the Court of Common Pleas. And he shall also index such judgments in the indices of judgments of the Court of Common Pleas in the same manner as if such judgments were judgments of the Court of Common Pleas for the County.

**SECTION 8. Sheriff—fees—bailiffs.**—The sheriff of the county or his deputy shall attend upon all sessions of the County Court and shall be subject to the orders thereof. He shall execute the orders, writs and mandates of the County Court as required by law in reference to the Circuit Court. The costs and fees of the sheriff in civil and criminal cases in the County Court shall be the same as those allowed in similar cases in the Court of Common Pleas and General Sessions. The sheriff shall, with the approval of the Judge, appoint such bailiffs as may be necessary. Such bailiffs so appointed shall be paid the same as bailiffs in the Circuit Courts.

**SECTION 9. Quarters for court.**—The governing body of Anderson County, subject to approval by the county legislative delegation, shall provide adequate office and courtroom space for the County Court by setting apart suitable quarters in the Anderson County Courthouse therefor.

**SECTION 10.—Record books.**—The governing body of the county shall provide all books necessary for keeping records of the court.

**SECTION 11. Court of record.**—The County Court shall be a court of record and shall be known as and shall have a seal inscribed with the words "County Court of Anderson County, South Carolina." The same presumption in favor of its jurisdiction and the validity of its judgments and decrees shall hold as in the case of the jurisdiction, judgments and decrees of the Circuit Courts.

**SECTION 12. Civil jurisdiction.**—The County Court shall have concurrent jurisdiction with the Court of Common Pleas in all civil cases and special proceedings, both at law and in equity, in which the amount demanded in the complaint exclusive of court costs does not exceed twelve thousand and five hundred dollars or in which the value of the property involved does not exceed twelve thousand and five hundred dollars, and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demanded or in which the right involved cannot be measured or fixed by any monetary

value, including, but not limited to, all juvenile and domestic relations matters. The jurisdiction of juvenile and domestic relation matters shall not be affected by the value of any property settlement ordered by the Judge. Special proceedings as used in this section shall be construed to include, but not limited to, all proceedings instituted under and by authority of the provisions of Section 10-1721, of the Code of Laws of South Carolina, 1962; regardless of whether or not the judgment by virtue of which the proceedings are instituted, was obtained in the County Court; *provided*, however, such judgment excluding costs and interests does not exceed twelve thousand and five hundred dollars. When in any case before the Court a defendant pleads a counterclaim, recoupment or set off for more than twelve thousand five hundred dollars, the Judge shall not try the case, but shall forthwith transfer it to the court of common pleas for trial; no transfer fee shall be charged therefor. Special proceedings as used herein shall be construed to mean, but not limited to adoption proceedings and divorce proceedings.

**SECTION 13. Criminal jurisdiction.**—The County Court shall have concurrent jurisdiction with the Court of General Sessions in all criminal cases, except murder, manslaughter, rape, attempt to rape, arson, common law burglary, bribery, perjury, safecracking, forgery, kidnapping and any case wherein the penalty is death, and it shall have concurrent jurisdiction with the Magistrates' Courts in all criminal cases within the jurisdiction of the Magistrates' Courts.

**SECTION 14. Appeal jurisdiction.**—The County Court shall have concurrent jurisdiction with the Court of Common Pleas and the Court of General Sessions, respectively, to hear and determine all appeals in civil cases and criminal cases, respectively, from judgments rendered by the Magistrates' Courts and all other Inferior Courts and the proceedings on such appeals shall be the same as provided for appeals in such cases to the Court of Common Pleas and the Court of General Sessions, respectively.

That in giving notice of appeal the Appellant or his attorney shall designate the Appellate Court to which the appeal is taken, either the County Court or the Circuit Court. That if in any one case there should be two or more Appellants and such Appellants or their attorney do not agree to what court the appeal is being made, then in such event the appeal shall be to the Circuit Court. Upon the written consent of the Appellant or Appellants or their attorney and of the Respondent or Respondents or their attorney in any appeal, civil or

criminal, from a Magistrate Court or other inferior court to the County Court or to the Circuit Court, the appeal may be transferred from the Circuit Court to the County Court or from the County Court to the Circuit Court by the Judge of the Court from which such appeal is transferred.

**SECTION 15. Judge—jurisdiction.**—In all cases and special proceedings within the jurisdiction of the County Court and pending therein the Judge of the County Court shall have the same jurisdiction, both in open court and at chambers, as is possessed by the Circuit Judges over cases pending in the Circuit Court over which they are presiding or in the Circuits in which they are residents.

**SECTION 16. Jurisdiction further.**—The County Judge in addition to his powers in the matter of equitable proceedings shall have the power to issue writs or orders of injunction, mandamus, habeas corpus and such other writs or orders as may be necessary to carry the powers of the County Court into full effect. The County Court shall concurrently with the Circuit Court have power and jurisdiction in the matter of all actions and proceedings under Title 10, Chapter 29, Sections 10-2251 to 10-2271, inclusive, of the Code of Laws of South Carolina, 1962. The County Judge shall also have power to protect the rights of parties to civil and criminal proceedings in Magistrates' Courts of Anderson County by issuing writs or orders of prohibition, procedendo and certiorari, in like manner as and concurrent with the Circuit Judge. The County Judge shall have power to grant bail in all cases triable in the County Court.

**SECTION 17. Terms of court.**—The County Court shall be held in scheduled terms for the trial of civil and criminal cases, such terms to be arranged by the County Judge as the business of the court shall require. Each week which may be designated for jury trials shall be considered a term, and the term shall continue for such time as may be necessary to dispose of the business before the court.

**SECTION 18. Court to be open at all times.**—The County Court shall be open at all times, at the convenience of the County Judge, for the purpose of taking pleas of guilty and imposing sentences in all criminal cases within the jurisdiction of this court with the consent of the accused. And the court shall always be open for the transaction of all business that can be disposed of without a jury.

**SECTION 19. Laws and rules of court.**—The general laws, statutory provisions, and rules of court applicable generally to the Circuit

Courts of this State and the trials of cases therein shall apply to the County Court and to the conduct and trial of cases therein when not inconsistent with this act. The clerk shall not enter, without special leave of the court, any judgment until the expiration of five days after the court has adjourned for the term. An accused, charged with a criminal offense for which the punishment is such that under the Constitution of this State an indictment is not necessary, may be tried in the County Court upon the warrant charging the offense and without an indictment having been found by a Grand Jury.

**SECTION 20. Pleadings and rules of procedure.**—The same forms of pleadings and the same rules of procedure, practice and evidence shall obtain in the County Court as provided by law for the trial of civil and criminal cases in the Circuit Court when not inconsistent with the provisions of this article. But the pleadings or copies thereof in a case for trial before the County Court shall be filed in the office of the Clerk of Court, as provided by law in the Circuit Court, before noon of the Monday preceding the week in which the court commences and the clerk shall forthwith enter the cases upon the appropriate calendar.

**SECTION 21. Criminal cases.**—(a) Criminal cases wherein an indictment of the accused is required may not be tried in the County Court, unless the offense charged is within the jurisdiction of the County Court, an indictment has been found by a Grand Jury and the case has been duly transferred by the Circuit Judge to the County Court for trial and disposition. Any criminal case within the jurisdiction of the County Court, may, after the finding of an indictment, be transferred in open court of the Court of General Sessions by the Presiding Judge to the County Court upon motion of the Solicitor; and such transfer may be made at any time by the Clerk of the Circuit Court upon written consent of the State and of the accused. And any criminal case pending in the County Court may at any time upon motion of the Solicitor of the County Court be transferred by the Judge of the County Court to the Court of General Sessions. All transfers of such cases shall be in writing and shall designate the time, place and the court to which the recognizances therein are returnable.

(b) The County Court may dispose of any criminal case within its jurisdiction wherein the accused in writing on the back of a proposed indictment waives the finding of a true bill thereupon and consents to trial thereon, or pleads guilty, or *nolo contendere* in misdemeanors, and consents to sentence; *provided*, that the foregoing pro-

visions shall only apply to cases wherein an accused may legally waive the finding of an indictment.

**SECTION 22. Certain actions not required to be heard by master.**—Actions on the civil side of court in which reference to a master would under the law otherwise be necessary may be heard and determined by the County Judge, either in term time or at chambers, without referring the same, upon testimony taken before the Judge; and likewise in all cases in which a jury trial may not be necessary or required. In all cases in which property, real or personal, is ordered to be sold, such sales shall be made in the same manner as prescribed for such sales in the Circuit Court.

**SECTION 23. Transfer of cases.**—Any cause pending in Court of Common Pleas, within the jurisdiction of the County Court may be transferred to the County Court by the Judge of Circuit Court, upon the written consent of the parties or their attorney to such cause. Likewise any civil cause pending in the County Court may be transferred by the Judge of the County Court to the Court of Common Pleas upon the written consent of the parties to such cause, or their attorney.

**SECTION 24. Judge may transfer place of trial.**—The County Judge may change the place of trial of any case pending in his Court to the Circuit Court in another county in the same manner and on the same grounds as provided by law in respect to changing the place of trial in cases pending in the Circuit Court.

**SECTION 25. Jurors.**—The jurors for the County Court shall be drawn from the jury box provided for the drawing of jurors in the Circuit Court.

**SECTION 26. Drawing and summoning of jurors.**—The law relating to the qualifications, drawing and summoning of jurors in the Circuit Court shall apply to the County Court except that not more than twenty-four persons shall be drawn and summoned to attend at the same time on any session of the County Court unless the County Judge shall otherwise order.

**SECTION 27. Deficiency of jurors.**—In case it becomes necessary to supply any deficiency in the number of petit jurors in the County Court, whether caused by challenge or otherwise, jurors shall be drawn from the tales box provided for the Circuit Court and in the same manner as provided by law for such court.

**SECTION 28. Jurors to serve only once a year.**—No one shall be required to serve as a juror in the County Court more than once in any calendar year and service as a juror in the Circuit Court shall for the purpose of exemption from jury duty in the County Court be deemed service as a juror in the County Court.

**SECTION 29. Number of jurors.**—A jury for the trial of cases in the County Court shall consist of six.

**SECTION 30. Civil cases—list of jurors—strikes.**—In the trial of all civil actions at law in the County Court and in the trial of all issues ordered to be framed by the Judge in equity cases in the court, the Clerk of the Court shall furnish the parties or their attorneys with a list of twelve of the jurors to be drawn and selected by ballot from the number of jurors available, who are in attendance, the names on the list to be numbered from one to twelve. From the list the parties or their attorneys shall alternately strike by number, the plaintiff striking first, until there shall be left but six names, who shall constitute the jury to try the case or issue. But objections for cause shall be allowed and vacancies in the panel filled in the manner provided in the Court of Common Pleas.

**SECTION 31. Criminal cases—peremptory challenges.**—In the selection of a jury for the trial of a criminal case in the County Court the accused, when charged with a misdemeanor, shall be entitled to peremptory challenges not exceeding three and the State to two; and in the trial of cases of felony the accused shall be entitled to peremptory challenges not exceeding five and the State to three. When there are two or more persons jointly indicted and so tried jointly the accuseds and the State shall be entitled to double the challenges as permitted when there is only one person tried and no more.

**SECTION 32. Costs.**—All costs and disbursements allowed the prevailing party and all costs and fees allowed officers of the court in actions in the Court of Common Pleas shall be allowed in actions in the County Court.

**SECTION 33. Compensation of jurors and witnesses.**—Jurors in attendance upon the sessions of the County Court shall receive as compensation for their services the same per diem and mileage as is allowed jurors in the Circuit Court. Witnesses in attendance upon the County Court shall receive the same compensation as witnesses in attendance upon the Circuit Court.

**SECTION 34. Appeals.**—In all civil actions, criminal cases and special proceedings of which the County Court shall have jurisdiction the right of appeal shall be to the Supreme Court and in the same manner and pursuant to the same rules, practice and procedure as govern appeals from Circuit Courts; *provided*, that in criminal cases the appellant may appeal either to the Court of General Sessions or the Supreme Court.

**SECTION 35. Judge designated.**—That the Judge of this court shall be known as the County Judge of Anderson County and no other judicial officer in this county shall bear this title.

**SECTION 36. Saving clause.**—If any section, clause or provisions of this act is held unconstitutional or invalid, such shall not affect, impair or invalidate any of the remainnig sections, clauses or provisions of this act.

**SECTION 37. Time effective.**—This act shall take effect on July 1, 1963.

Approved the 9th day of May, 1963.

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(R325, H1449)

**No. 184**

**An Act To Amend Section 58-632 Of The 1962 Code, Relating To Special Officers And Constables For Common Carriers So As To Change The Terms Of Their Commissions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 58-632, 1962 Code, amended—powers and duties—commissions may be revoked.**—Section 58-632 of the 1962 Code is amended by deleting the first sentence and by inserting in lieu thereof the following: "Such special officers or constables shall have all the powers, duties and responsibilities of deputy sheriffs and other police officers, and their commissions shall continue so long as they are employed in such capacity by the railway or other common carrier." The section when so amended shall read as follows:

"Section 58-632. Such special officers or constables shall have all the powers, duties and responsibilities of deputy sheriffs and other police officers, and their commissions shall continue so long as they are employed in such capacity by the railway or other common car-

rier. But the Governor shall revoke their commissions upon request of the superintendent or manager of the railway or other common carrier upon whose application they were appointed and the Governor may also at any time revoke such commissions for cause."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R326, H1519)

**No. 185**

**An Act To Amend Sections 42-621, 42-622, 42-624, 42-626 And 42-627 Of The 1962 Code, Relating To The Spartanburg Public Library, So As Change The Name Of The Library To The Spartanburg County Library; To Provide That The Trustees Shall Be Elected By A Majority Of The Spartanburg County Legislative Delegation And To Require The Board Of Trustees Of The Library To Submit An Annual Financial Report To The Spartanburg County Legislative Delegation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 42-621, 1962 Code, amended—Spartanburg County Library created.**—Section 42-621 of the 1962 Code is amended by striking on line 2 the word "Public" and inserting in lieu the word "County". The section when amended shall read as follows:

"Section 42-621. There is hereby created an eleemosynary corporation under the name of the Spartanburg County Library which shall have all the powers conferred upon such a corporation by the laws of this State."

**SECTION 2. Section 42-622, 1962 Code, amended—trustees—election—terms—vacancies.**—Section 42-622 of the 1962 Code is amended by striking beginning on line 2 the words "appointed by the Spartanburg County Legislative Delegation" and inserting in lieu the words "elected by a majority of the Spartanburg County Legislative Delegation", and by striking on line 10 "county board of education" and insert in lieu thereof "Spartanburg County Legislative Delegation" and by striking the period at the end and inserting in lieu there-

of "in the manner of the original election." The section when amended shall read as follows:

"Section 42-622. The corporation shall be controlled and managed by a board of trustees, nine in number, to be elected by a majority of the Spartanburg County Legislative Delegation. Five of the trustees shall be residents of the city of Spartanburg and four shall be residents of the county outside the city of Spartanburg. In the initial selection of the trustees three were designated to serve for one year, three for two years and three for three years and their successors have been and hereafter shall be, on or before the first day of May of each year, selected to serve for terms of three years and until their successors are named and qualified. The Spartanburg County Legislative Delegation shall fill any vacancy created by the death, disability or resignation of any trustee in the manner of the original election."

**SECTION 3. Section 42-624, 1962 Code, amended—powers and duties.**—Section 42-624 of the 1962 Code is amended by striking on line 1 the word "Public" and inserting the word "County". The section when amended shall read as follows:

"Section 42-624. The Spartanburg County Library may, by way of amplification and classification, but without limiting the generality of the powers conferred on it by Section 42-621:

- (1) Purchase, lease, hold and dispose of real estate;
- (2) Acquire by lease or rental the books, equipment and facilities of any existing library in Spartanburg County;
- (3) Establish, equip, maintain and operate a county library system, with branches, units and book trucks;
- (4) Enter into contracts with persons, corporations and public agencies;
- (5) Accept donations of land, service, materials, books and other things for the establishment and equipping of libraries;
- (6) Enter into agreement for the suitable designation and marking of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals; and
- (7) Generally to do all things necessary and proper to establish, equip, maintain and operate a county library system."

**SECTION 4. Section 42-626, 1962 Code, amended—tax levy.**—Section 42-626 of the 1962 Code is amended by striking on line 6 the word "Public" and inserting the word "County". The section when amended shall read as follows:

“Section 42-626. For the support and maintenance of the county library system a levy of one mill annually is hereby laid upon all taxable property of Spartanburg County, to be levied annually by the county auditor. When collected by the county treasurer the funds shall be paid over at the end of each month as collected to the treasurer of the Spartanburg County Library. This payment shall be made upon presentation to the county treasurer of a voucher signed by three members of the board of trustees, including the president and the treasurer, and upon their receipt the county treasurer shall be discharged thereby from all further accountability with respect to funds so paid to the treasurer of the library.”

**SECTION 5. Section 42-627, 1962 Code, amended—financial statement.**—Section 42-627 of the 1962 Code is amended by striking on line 2 the words “board of education” and inserting in lieu the words “legislative delegation”. The section when amended shall read as follows:

“Section 42-627. The board of trustees shall file annually with the county legislative delegation a certified financial statement, showing in detail receipts and disbursements for the year and current assets and liabilities.”

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R328, H1635)

**No. 186**

**An Act To Amend Section 21-4022 Of The 1962 Code, Relating To Millage Levied For Public School Education In Spartanburg County, So As to Provide For The Distribution Of The Funds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-4022, 1962 Code, amended—Spartanburg County—tax levy for schools.**—Section 21-4022 of the 1962 Code is amended by striking the last sentence and inserting in lieu thereof the following: “The county board of education shall provide a formula to insure each child attending public schools a minimum

of two hundred twenty-five dollars per pupil." The section when amended shall read as follows:

"Section 21-4022. There shall be levied a thirteen-mill tax to be applied uniformly to all property in the county to guarantee a minimum foundation program of public school education to all children in the county. The levy shall be entered by the county auditor and collected by the county treasurer as other taxes on property. The proceeds of this levy shall be credited by the county treasurer to the county board of education. The county board of education shall provide a formula to insure each child attending public schools a minimum of two hundred twenty-five dollars per pupil."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R330, H1662)

**No. 187**

**An Act To Provide For Certain Fees Charged By The Clerk Of Court For Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Clerk of court fees for Greenville County.**—Notwithstanding the provisions of law providing generally for fees charged by clerks of court, which provisions shall govern in instances not provided for by this act, the Clerk of Court for Greenville County shall charge:

- (a) One dollar for filing and docketing a complaint;
- (b) One dollar for filing a notary public commission or any license required to be filed in the clerk's office;
- (c) Five dollars for filing and approving a bond and attachment;
- (d) Five dollars for filing and entering a judgment or divorce decree; and
- (e) Ten dollars for filing and recording a judgment in foreclosure or partition suits.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

(R331, H1667)

## No. 188

**An Act To Amend Section 14-2963 Of The 1962 Code, Relating To The Custody Of Public Buildings In Newberry County, So As To Create The Public Buildings Commission For Newberry County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-2963, 1962 Code, amended—Public Buildings Commission created for Newberry County.**—Section 14-2963 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 14-2963. There is hereby created the Public Buildings Commission for Newberry County which shall consist of three members to be appointed by the Governor, upon the recommendation of a majority of the Newberry County Legislative Delegation. The members of the Commission shall serve for terms of four years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointments for the unexpired portion of the term only.

The Commission shall be in charge of all Newberry County Office Buildings and shall be responsible for allocating office space to the various departments, agencies and officials of the county. The Commission may appoint a supervisor and custodian of public buildings and grounds who shall perform such duties as may be assigned to him by the Commission.”

**SECTION 2. Not to affect certain laws.**—This act shall not affect the provisions of Sections 14-2965 and 14-2966 of the 1962 Code, relating to the Courthouse Board for Newberry County.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

(R332, H1668)

## No. 189

**An Act To Provide For Building Permits In Fairfield County; To Prohibit Electric Companies From Making Electrical Connections To Buildings Constructed Without A Permit; And To Provide A Penalty For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Fairfield County.—**

Before any person constructs any new building or any addition to an existing building in Fairfield County, which construction shall cost fifteen hundred dollars or more, he shall obtain from the Auditor of Fairfield County a building permit which shall be executed before any construction shall be commenced. A charge of two dollars shall be made for such building permits; *provided*, that no permit shall be required for such construction upon real estate situate within any incorporated municipality which requires a permit for the erection or construction of such improvements; *provided*, further, every municipality in the county, requiring permits for the erection or construction of any improvements upon real estate situate within the municipality, shall furnish to the auditor copies of all permits issued by the municipality.

**SECTION 2. Application forms.—**The auditor shall prepare application forms which shall show information to be of assistance to the office of the auditor in locating the real estate on which such improvements are due to be made and in checking tax returns. Such information shall include: (a) School District; (b) Name of owner of real estate; (c) Name of road or rural route and box number; (d) Estimated cost of construction; (e) Use to be made of improvements; and (f) Approximate completion date.

**SECTION 3. Auditor may inspect property.—**The auditor shall have the right to inspect premises and buildings or improvements when completed.

**SECTION 4. Electricity not to be furnished without permit.—**

It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a new building or facility requiring a permit under this act unless such permit was acquired for the construction of the building or facility. Any company or cooperative making a connection shall report to the county auditor's office on or before the tenth of each month the location of each connection.

**SECTION 5. Penalties.—**Any person violating any provision of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed fifty dollars.

**SECTION 6. Time effective.—**This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

(R334, H1676)

## No. 190

**An Act To Amend Section 27-87 Of The 1962 Code, Relating To Fees Of The Clerk Of The Court Of Common Pleas Of Laurens County, So As To Establish Fees For Recording Additional Instruments.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 27-87, 1962 Code, amended—clerk of court fees for Laurens County.**—Section 27-87 of the 1962 Code is amended by striking items (10), (11), (12) and (13) and inserting in lieu thereof the following:

- “(10) Entering satisfaction on chattel mortgage . . . . .50
- (11) Recording rights of way and easements of real property for the purpose of constructing cooperative rural electrification lines, for first page 1.75  
Additional pages, each . . . . .75
- (12) Recording deeds, first page (printing on one side only) . . . . .1.75  
Additional pages, each . . . . .50
- (13) Recording mortgages, first page (printing on one side only) . . . . .1.75  
Additional pages, each . . . . .50
- (14) Plats: (pasted in) .50—12" x 8½"  
1.00—17" x 13"  
1.50—22" x 22"  
2.00—30" x 22"  
Photostat of plat . . . . . \$1.00
- (15) Separate releases: for release on real estate mortgage (one page) . . . . . 1.00  
For release on deed (one page) . . . . . 1.00
- (16) Recording chattel mortgages, over one hundred dollars . . . . . 1.25  
Recording chattel mortgage with copy . . . . . 1.00  
Recording chattel mortgage, under one hundred dollars . . . . . .75
- (17) Satisfaction of real estate mortgage . . . . . .75
- (18) Assignment of mortgages . . . . . .50”

The section when amended shall read as follows:

“Section 27-87. The fees of the clerk of the court of common pleas of Laurens County shall be as set forth in this section, except that if

the fee for any service is not set forth in this section, then such fee shall be as is provided by general law:

- |   |         |
|---|---------|
| (1) Entering on docket .....  | \$ 1.00 |
| (2) Filing summons and complaint .....  | \$ 1.00 |
| (3) Entry of report of referee .....  | 1.00    |
| (4) Entry of verdict of order .....   | 1.00    |
| (5) Copying and recording, first page .....   | 1.00    |
| Additional pages, each .....  | .50     |
| (6) Enrolling judgment .....  | 2.75    |
| (7) Appointment of guardian ad litem .....  | 1.00    |
| (8) Making and certifying any order, first page ..  | 2.00    |
| Additional pages, each .....  | .50     |
| (9) Appeal from magistrate court .....  | 3.00    |
| (10) Entering satisfaction on chattel mortgage ....   | .50     |
| (11) Recording rights of way and easements of real<br>property for the purpose of constructing coop-<br>erative rural electrification lines, for first page | 1.75    |
| Additional pages, each .....  | .75     |
| (12) Recording deeds, first page (printing on one<br>side only) .....   | 1.75    |
| Additional pages, each .....  | \$ .75  |
| (13) Recording mortgages, first page (printing on<br>one side only) .....   | 1.75    |
| Additional pages, each .....  | .75     |
| (14) Plats: (pasted in)   .50—12" x 8½"   |         |
| 1.00—17" x 13"  |         |
| 1.50—22" x 22"  |         |
| 2.00—30' x 22"  |         |
| Photostat of plat .....   | 1.00    |
| (15) Separate releases: for release on real estate<br>mortgage (one page) .....   | 1.00    |
| For release on deed (one page) .....  | 1.00    |
| (16) Recording chattel mortgages, over one hundred<br>dollars .....   | 1.25    |
| Recording chattel mortgage with copy .....  | 1.00    |
| Recording chattel mortgage, under one hun-<br>dred dollars .....  | .75     |
| (17) Satisfaction of real estate mortgage .....   | .75     |
| (18) Assignment of mortgages .....  | .50"    |

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R335, S128)

**No. 191**

**An Act Relating To The Terms Of Office Of Magistrates In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of Greenville County magistrates.**—In Greenville County all magistrates confirmed during the year 1963 shall hold office until January 31, 1965. Thereafter, all terms of magistrates shall be from date of appointment until January 31st of each odd calendar year.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R336, S135)

**No. 192**

**An Act To Establish Magisterial Districts And To Provide For The Nomination And Terms Of Office Of Magistrates In Anderson County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Anderson County magisterial districts defined.**—On and after February 1, 1965, there shall be only the following magisterial districts in Anderson County, which districts shall be comprised of the area included in the specified voting precincts or wards and any other precincts or wards which may be later added:

District One (Area 1)—Piedmont, Simpsonville, Concrete, Three & Twenty, Mountain View and Brushy Creek;

District One (Area 2)—Pelzer No. 1, Pelzer No. 4, West Pelzer and White Plains;

District One (Area 3)—Williamston, Williamston Mill, Piercetown, Bowling Green and Cedar Grove.

District Two (Area 1)—Belton, Belton Mill, Blair Mill, Toney Creek, Shirleys Store, Rock Springs, Neals Creek, Craytonville and Broadway;

District Two (Area 2)—Honea Path, Chiquola, McAdams, Friendship, Barkers Creek, Wrights Store, Saylors Cross-roads and High Point.

District Three (Area 1)—Iva, Jackson Mill, Corner and Hall;

District Three (Area 2)—Star, West Savannah, Grove School, Flat Rock and Mountain Creek.

District Four (Area 1)—Pendleton, Lafrance, Mt. Tabor, Sandy Springs, Bishops Branch, Denver, Melton, Walker McEimoyle and Five Forks;

District Four (Area 2)—Townville, Fork 1 and Fork 2.

District Five (Magistrate 1)—Anderson City Wards 1 through 7;

District Five (Magistrate 2)—Appleton Mill, Equinox, Orr Mill, Homeland Park, Riverside Toxaway, Centerville, Edgewood, Hopewell, Hammond, Rock Mills, Green Pond and Gluck Mill.

**SECTION 2. Jurisdiction.**—No warrant or civil paper shall be issued by a magistrate except a special magistrate unless issued by the magistrate nearest to the point where the offense occurred or the cause of action arose. *Provided*, that the two magistrates in District 5 shall have general countywide jurisdiction.

**SECTION 3. Where offices to be located.**—The magistrate for District One (Area 1) shall maintain his office in the Piedmont-Simpsonville area; the magistrate for District One (Area 3) shall maintain his office in the town limits of Williamston; the magistrate for District Two (Area 1) shall maintain his office in the town limits of Belton; the magistrate for District Three (Area 1) shall maintain his office in the town limits of Iva; and the magistrate for District Four (Area 1) shall maintain his office in the town limits of Pendleton.

**SECTION 4. Terms.**—The terms of office of the magistrates for the districts established by this act shall commence on February 1, 1965 and shall be for four years each.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R337, S250)

**No. 193**

**An Act To Prohibit The Clerk Of Court Of Dillon County From Recording A Deed Until A Signed Affidavit From The Dillon County Tax Assessor Has Been Attached Thereto.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Dillon County—deeds not to be recorded unless affidavit attached.**—Any person recording a deed in the office of the Clerk of Court of Dillon County shall be required to file along with the deed before recordation, an affidavit signed by the Dillon County tax assessor stating that such deed has been presented to the tax assessor's office for transfer of such property on the assessor's records. The Clerk of Court shall not receive, record or process any deed that does not have such affidavit attached. The affidavit shall be in such form as may be prescribed by the Dillon County tax assessor.

**SECTION 2. Penalties.**—The failure of any person to file the affidavit required by this act shall be guilty of a misdemeanor and upon conviction shall be fined an amount not to exceed one hundred dollars or confined for a period not to exceed thirty days, or both, in the discretion of the court.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R340, H1353)

**No. 194**

**An Act To Amend Section 65-264.1 Of The 1962 Code, Relating To Income Tax, So As To Allow The Proper Apportionment**

**And Allocation Of The Optional Standard Deduction For Income Tax To Nonresidents On Income Arising From Sources Within This State.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-264.1, 1962 Code, added—income tax deductions allowed nonresidents.**—Section 65-264.1 of the 1962 Code is amended by adding on line 2 after “Section 65-259” “, 65-260”. The section when amended shall read as follows:

“Section 65-264.1. In the case of a nonresident individual the deductions allowed in Sections 65-259, 65-260 and 65-264 shall be allowed only if, and to the extent that, they are connected with income arising from sources within the State and the proper apportionment and allocation of the deductions with respect to sources of income within and without this State shall be determined under rules and regulations prescribed by the Commission.”

**SECTION 2. Time effective.**—This act, upon approval by the Governor, shall be effective for the taxable years beginning after December 31, 1962.

Approved the 15th day of May, 1963.

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(R341, H1357)

- No. 195

**An Act To Allow The Courts Of This State To Recognize And Enforce Liabilities For Taxation Lawfully Imposed By Other States Which Extend Like Comity To This State.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Courts to enforce liabilities for taxation imposed by certain other states.**—The courts of this State shall recognize and enforce liabilities for taxation lawfully imposed by other states which extend like comity to this State. The South Carolina Tax Commission, with the assistance of the Attorney General, is hereby empowered to bring suit in the courts of other states to collect taxes legally due this State. The officials of other states which extend a like comity to this State are empowered to sue for the collection of such taxes in the courts of this State. A certificate by the Secretary of State that such officers have authority to collect the tax shall be conclusive evidence of such authority.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R342, H1358)

**No. 196**

**An Act To Permit The South Carolina Tax Commission To Publish The Names And Last Known Addresses Of Persons Whose Income Tax Checks Have Been Returned For The Reason Of Unknown Or Insufficient Addresses And To Permit The Cancellation Of The Checks.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Names of persons whose income tax refund checks have been returned to be published.**—The South Carolina Tax Commission shall, as soon as practicable in each year, prepare a list for each county containing the name and last known address of each person in each county whose income tax refund check during any preceding year has been returned for the reason of unknown or insufficient address. Each list shall be posted on the court house door in its corresponding county and otherwise made available to public inspection in such manner as the Tax Commission may determine. Any refund check remaining unclaimed for a period of at least one year from the date of posting may be cancelled; however, a refund check so cancelled shall be reissued upon application by the taxpayer prior to the expiration of three years from the date of posting.

**SECTION 2. Action not to violate Section 65-307.**—The action taken pursuant to the authority contained in this act shall not be deemed in violation of Section 65-307 of the 1962 Code.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R343, H1359)

**No. 197**

**An Act To Permit A Surviving Spouse To Cash An Income Tax Refund Check Where A Deceased Taxpayer Filed A Return**

**Or Filed A Joint Return And Where No Administrator Or Executor Has Been Appointed.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Surviving spouse may cash certain income tax refund check.**—Any check payable to a deceased taxpayer, or to a deceased taxpayer and his surviving spouse, in an amount of one hundred dollars, or less, issued as a refund of income tax, may be cashed by the surviving spouse sixty days after issuance of such check or six months after the date of death of such deceased taxpayer, whichever is later, if no administrator or executor has been appointed by such date.

**SECTION 2. Time effective.**—This act, upon approval by the Governor, shall be effective with respect to refund checks issued after July 1, 1963.

Approved the 15th day of May, 1963.

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(R344, H1419)

**No. 198**

**An Act To Amend Section 68-207 Of The 1962 Code, Relating To Liens For Contributions Under The South Carolina Unemployment Compensation Law, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 68-207, 1962 Code, amended—liens for contributions under S. C. Unemployment Compensation law.**—Section 68-207 of the 1962 Code is amended to read as follows:

“Section 68-207. The contributions, interest and costs prescribed in this chapter shall be deemed taxes owing the State by the person against whom they shall be charged, and shall be a lien against all of the property of the person by whom such contributions are due, only after the warrant described in Section 68-208 shall be indexed as prescribed in Section 68-209.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R345, H1481)

## No. 199

**An Act To Amend Section 65-563 Of The 1962 Code, Relating To Estate Taxes, So As To Further Provide Therefor, And To Repeal Section 65-564 Of The 1962 Code, Relating To Estate Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-563, 1962 Code, amended—estate taxes—liability of recipients of certain property.**—Section 65-563 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 65-563. Unless the decedent directs otherwise in his will, if any part of the gross estate on which the tax has been paid consists of the value of property included in the gross estate under Sections 65-453 or 65-463 by reason of their reference to the provisions of Sections 2034 to 2044, inclusive, of the Internal Revenue Code of 1954, as amended, the executor shall be entitled to recover from the person receiving or in possession of such property such portion of the total tax paid as the value of such property bears to the sum of the taxable estate and the amount of the specific exemption allowed in computing the taxable estate determined under Section 65-455 by reason of its reference to Section 2052 of the Internal Revenue Code. If there is more than one such person, the executor shall be entitled to receive from such persons in the same ratio. In case of such property received by, or in possession of the surviving spouse of the decedent for which a deduction is allowed under Sections 65-455 or 65-465 by reason by their reference to Section 2056 of the Internal Revenue Code, this section shall not apply to such property except as to the amount thereof in excess of the amount of the marital deduction allowed under such sections.”

**SECTION 2. Section 65-564, 1962 Code, repealed.**—Section 65-564 of the 1962 Code is repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R348, H1584)

## No. 200

**An Act To Amend Section 33-260, Code Of Laws Of South Carolina, 1962, Prescribing The Terms Of Issue Of State Highway Bonds, So As To Authorize The Issue Of Bonds Of One Thousand Dollars Each Or Any Multiple Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 33-260, 1962 Code, amended—State Highway bonds—denominations—interest—maturity—redemption.**—Section 33-260 of the Code of 1962 is amended by striking out the first sentence of the section and inserting in lieu thereof the following: "Such State highway bonds or State highway certificates of indebtedness shall be of the denomination of one thousand dollars each or any multiple thereof.", so that when so amended the section shall read as follows:

"Section 33-260. Such State highway bonds or State highway certificates of indebtedness shall be of the denomination of one thousand dollars each or any multiple thereof. They shall bear interest, payable semiannually, at any rate or rates not exceeding the maximum interest rate specified in the Department's request for the issuance of such State highway bonds or State highway certificates of indebtedness. Each separate issue of such State highway bonds or State highway certificates of indebtedness shall mature in annual series or installments, the first of which annual series or installments shall mature not more than ten years after the date of the bonds or certificates and the last not more than twenty-four years after such date. The installments or series may be equal or unequal in amount. The bonds or certificates may, in the discretion of the Department, be made subject to call and redemption at par and accrued interest, plus such redemption premium as may be approved by the Governor and the State Treasurer, on such date as may be specified in the Department's request for the issuance of the bonds or certificates or on any interest payment date thereafter, prior to the maturity of the bonds or certificates. The bonds or certificates shall not be redeemable before maturity unless they contain a statement to that effect."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R349, H1598)

## No. 201

**An Act To Amend Section 23-176 Of The 1962 Code As Amended, Relating To Voting Precincts In Greenville County, So As To Make Further Provisions Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 23-176, 1962 Code, amended—Greenville County voting precincts designated.**—Section 23-176 of the 1962 Code is amended by striking it and inserting in lieu thereof :

“Section 23-176. In Greenville County there shall be the following voting precincts: American Spinning at or near school; Armstrong at or near school; Bates Old Field at or near McDaniel's store; Batesville at or near Green's store; Bellevue at Bellevue Grocery; Berea at Berea High School; Bessie at Charles' store; Blue Ridge at or near Blue Ridge School; Brandon at Boy Scout hall; City View at City View water office; Conestee at Conestee Hall; Duncan at recreation hall; East Dunklin at Knight's store; East Gantt at East Gantt School; East View at East View School; Ebenezer-Welcome at Ebenezer-Welcome School; Fairview at the stock show grounds; Fork Shoals at Fork Shoals High School; Fountain Inn at the library building; Fountain Inn Mill at the mill canteen; Gilreath's Store at Gilreath's store; Golden Grove at Freeman's Store; Gowensville at Pitts' store; For the Town of Greer: Ward 1 at the fire department at city hall building in Greer; Ward 2 at or near Bridwell's building on South Main Street in Greer; Ward 3 at C. & D. Chevrolet building in Greer; Ward 4 at Duke St. School in Greer; Ward 5 at the high school building in Greer; Ward 6 at Hollifield's Studebaker building in Greer; Greer Mill at the community building; also, Highland at Highland School; Hillside at Hillside School; Hopewell at Hopewell School; Jennings Mill at Hart Valley Ranch; Jonesville at Jonesville School; Judson Mill at Judson School; Laurel Creek at Laurel Creek School; Leawood at Shaw's Drug Store at Stone Manufacturing Company; Lebanon at Lebanon School; Lima at Lima School; Locust at Locust School; Maridell at Maridell School; Marietta at Marietta School; Mauldin at Mauldin School; Mills Mill at the mill; Mission at Mission School; Monaghan at the YMCA; Montague at Watkins store; Mt. Lebanon at Mt. Lebanon School; Mt. View at Mt. View School; Old Hundred at Old Hundred School; O'Neal at Few's store; Paris at Paris School; Paris Mountain at Paris

Mountain Grocery Store; Park Place at Park Place School; Piedmont at Beattie Hall; Piedmont Park at Paris School; Pike's Store at Oak Grove School; Pleasant Grove at Pleasant Grove School; Pleasant Hill at Pleasant Hill School; Poe Mill at Poe Mill School; Ready Fork at Moonville Mercantile Co.; Rehobeth at Rehobeth School; Rock Hill at Rock Hill schoolhouse; Reid's at Reid's schoolhouse; Sandy Flat at Sandly Flat schoolhouse; Sans Souci at Sans Souci elementary school; Simpsonville at Simpsonville high school house; Simpsonville Mill at Cole's Store; Slator at the Mill; Southern Bleachery at Taylor's Drugstore; St. Albans at Thackston's Store; Stewart's Academy at Cooper's store; Taylor's at Loftis Mercantile Co.; Tigerville at Wood's Store; Travelers Rest at Coleman Motor Co.; Union Bleachery at community building; Wares at Ridgeway's store; Welcome at Welcome School; West Dunklin at Cothran's store; West Gantt at West Gantt High School; West View at West View School; Westville at Westville School; Woodside at the community building; Woodville at Alberston's store; For the City of Greenville: Ward 1, Box 1—at or near Sears Shelter on East Park Avenue; Ward 1, Box 2—at or near Summit Street School; Ward 1, Box 3—at or near Stone School; Ward 2, Box 1—East North Street Elementary School on East North Street; Ward 2, Box 2—Greenville Moving & Storage Company, formerly Eastlan Baptist Church, 1309 Laurens Road; Ward 2, Box 3—First Federal Savings & Loan Branch on Wade Hampton Blvd.; Ward 3, Box 1—Hayne's School on Toy Street; Ward 3, Box 2—at or near Swan's, Inc., 1202 Laurens Road; Ward 3, Box 3—E. R. Kellett Plumbing Co., Legrand Blvd., corner By-Pass 291; Ward 4, Box 1—Augusta Circle School; Ward 4, Box 2—Dixie Hardware Company, 3213 Augusta Road; Ward 4, Box 3—Starlane Bowling Alley, By-Pass 291 and Cleveland Street Extension; Ward 4, Box 4—Quality T. V. Sales & Service, Intersection of Laurens Road and Woodruff Road; Ward 5, Box 1—Pendleton Street Fire Station; Ward 5, Box 2—West Greenville Recreation Center; Ward 5, Box 3—at or near Poinsett Mill Community Center; Ward 5, Box 4—Greenville County Office Building, South Main Street; Ward 6, Box 1—Y.M.C.A. Building, Cleveland Street; Ward 6, Box 2—at or near Collins Motor Co., 106 Augusta St.; Ward 6, Box 3—at or near Augusta Street Fire Station.

*Provided*, that electors residing in what was Merrittsville precinct otherwise qualified shall be members of the Lima precinct, and electors residing in what was Flat Rock precinct otherwise qualified shall be members of the Pike's store precinct.

*Provided*, further, that in the event any of the above-designated voting places, for any reason, are not available at any election in Greenville County—general, special, or primary—the Greenville County Election Commission, in the case of general or special elections, or the chairman of any political party certified by the Secretary of State, in case of a primary may, by giving one week's public notice in one of the daily newspapers published in Greenville County, change the voting place as designated above to some other voting place as near to the designated place as practicable."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R350, H1601)

**No. 202**

**An Act To Provide For Voting By Registered Electors Of The City Of Greenville Whose Places Of Voting Have Been Changed By Statute Subsequent To December 31, 1962.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain registered electors may vote in City of Greenville.**—Registered electors in the City of Greenville whose certificates of registration are dated prior to January 1, 1963, and which entitle them to vote in a general election precinct shall be entitled to vote in primary, special, or general elections in any voting place named within the general election precinct specified on his registration certificate, *provided*, that the managers of voting places in general election precincts affected by this act shall require of each registered voter that he specify on the registration books at the voting place, the name of the voting place in which he voted, and thereafter, unless his certificate of registration be changed by the board of registration to show another general election precinct than that noted on the registration books, he shall vote thereafter in that voting place and none other.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R351, H1639)

## No. 203

**An Act To Amend Section 15-280 Of The 1962 Code Relating To The Terms Of Circuit Court In The Eleventh Judicial Circuit, So As To Further Provide For The Terms Of Court In McCormick County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Paragraph (3), Section 15-280, 1962 Code, amended—terms of court for McCormick County.**—Paragraph (3) of Section 15-280 of the 1962 Code is amended to read as follows :

“(3) McCormick County.—The court of general sessions for McCormick County shall be held at McCormick on the first Monday in February, the second Monday in February, the second Monday in June, the third Monday in June, the second Monday in October and the third Monday in October. Each term shall be for one week. If a full week during any term is not required to conclude the work of the court of general sessions, the court of common pleas shall be held for the remainder of such term.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R352, H1640)

## No. 204

**An Act To Amend Section 38-308 Of The 1962 Code Providing For The Compensation Of Jurors In Circuit Courts, So As To Make Further Provision For Such Jurors In McCormick County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Paragraph (1), Section 38-308, 1962 Code, amended—compensation of jurors in McCormick County.**—Paragraph (1) of Section 38-308 of the 1962 Code is amended by striking the words “one dollar and fifty cents” and inserting in lieu thereof the words “five dollars”, so that when amended the paragraph shall read as follows :

“(1) In McCormick County, five dollars;”.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R353, H1646)

**No. 205****An Act To Amend Section 21-3571 Of The 1962 Code Relating To The Trustees Of School District No. 1 In McCormick County, So As To Specify Residence Requirements For Two Of Such Trustees.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3571, 1962 Code, amended—trustees of McCormick County School District 1.**—Section 21-3571 of the 1962 Code is amended by adding at the end thereof the following proviso: “*Provided*, that one of the trustees elected in 1964 and each four years thereafter shall be a resident of Mt. Carmel; Talbert’s Store; Willington; Clatworthy; Bethany; Youngs; or Bordeaux Voting Precincts and that one of the trustees elected in 1966 and each four years thereafter shall be a resident of Plum Branch; Rehobeth; Clarks Hill; Parksville; White Town; or Modoc Voting Precincts.” The section when amended shall read as follows:

“Section 21-3571. In the general election in November 1956, five trustees of McCormick School District No. 1 shall be elected, three of whom will hold office for a four-year term, and two of whom will hold office for a two-year term; all terms to commence on January 1, 1957. Subsequently, all trustees will be elected for a four-year term at the general election preceding the expiration of the terms on January first. *Provided*, that one of the trustees elected in 1964 and each four years thereafter shall be a resident of Mt. Carmel; Talbert’s Store; Willington; Clatworthy; Bethany; Youngs; or Bordeaux Voting Precincts and that one of the trustees elected in 1966 and each four years thereafter shall be a resident of Plum Branch; Rehobeth; Clarks Hill; Parksville; White Town; or Modoc Voting Precincts.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R355, H1661)

**No. 206****An Act To Provide Certain Special Provisions For The Preparation Of Jury Lists In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Preparation of jury lists in Greenville County.**—Notwithstanding the provisions of Section 38-52 of the 1962 Code, in Greenville County the jury lists shall be taken from the list of qualified electors prepared by the County I.B.M. Department, shall include not less than one of every three electors qualified for jury service, and shall be compiled by the County I.B.M. Department after selection by the jury commissioners.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R358, S308)

**No. 207**

**An Act To Amend Section 28-886 Of The 1962 Code, As Amended, Relating To The Use Of Nets For Catching Shad, So As To Further Regulate The Use Of Such Nets.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-886, 1962 Code, amended—use of nets for catching shad.**—Section 28-886 of the 1962 Code, as amended, is further amended by striking the period at the end of the first sentence and adding the following: “and no cable line or any other device used for the support of such nets shall extend over halfway across any stream.” The section when amended shall read as follows:

“Section 28-886. No nets for catching shad shall be used with a mesh of less than five and one-half inches nor extending more than halfway across any stream nor within two hundred yards of any net previously set and no cable line or any other device used for the support of such nets shall extend over halfway across any stream. Nor shall it be lawful to set any nets for catching shad in lakes or coves tributary to any stream, whether navigable or not, except that a net with a mesh of less than five and one-half inches but not less than four inches may be used in the Savannah River. No net or seine shall be used in the muddy waters of any river within twenty-five yards of the mouth of any clear water stream emptying into such river.

No nets for catching shad in the Edisto River shall be used with a mesh of less than six inches."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

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(R359, S316)

**No. 208**

**An Act To Authorize The County Police Of Any County Having A Population Of Between Thirty Thousand Six Hundred And Thirty-Two Thousand Inhabitants, According To The Latest Official United States Census, To Destroy Publicly Any Weapon Forfeited Pursuant To The Provisions Of Law.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Certain county police may destroy weapons.**—Notwithstanding any other provisions of law to the contrary, the county police of any county having a population of between thirty thousand six hundred and thirty-two thousand, according to the latest official United States census, shall destroy publicly any weapon forfeited pursuant to law within a reasonable time after forfeiture is final.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

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(R360, S338)

**No. 209**

**An Act Relating To The Reporting Of Hog Cholera.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. State Veterinarian may require hog cholera to be reported.**—The state veterinarian may require to be reported to him any known or suspected cases of the disease of hog cholera.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

(R361, S339)

## No. 210

**An Act To Amend Section 6-451, Code Of Laws Of South Carolina, 1962, Which Provides A Course To Be Pursued Where Animals Are Found Infected With Brucellosis, So As To Require Disposal Of Those Animals Found To Be Infected.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 6-451, 1962 Code, amended—animals having brucellosis to be disposed of.**—Section 6-451 of the Code of 1962 is amended by striking out the word “recommend” in the third line of the Section and insert in lieu thereof the word “require”, and by striking out all of the Section after the first sentence beginning with the words “Should the owner fail or refuse” so that when so amended Section 6-451 shall read as follows:

“Section 6-451. When the State Veterinarian receives information or has reason to believe that brucellosis exists in any animal he shall promptly notify the owner and require that a test be applied to such animal and that if the animal be found to be diseased it shall be properly disposed of and the premises disinfected under the supervision of the State Veterinarian or his authorized representative.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

(R362, S355)

## No. 211

**An Act To Extend The Term Of Office Of The Auditor Of Williamsburg County To June 30, 1963, And To Provide That Thereafter The Term Of Office For The Auditor Shall Begin On July First And Expire Midnight Of June Thirtieth, Four Years Hence.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Term of Williamsburg County Auditor.**—The term of office for the Auditor of Williamsburg County serving on the effective date of this act is extended to midnight, June 30, 1963 after which the auditor shall be appointed for a term of four years beginning on July first and expiring on midnight of June thirtieth, four years hence. In case of a vacancy in the office of Auditor of Wil-

liamsburg County before the expiration of the regular term of office for which appointed, the successor shall be appointed for the unexpired portion of the term.

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are hereby repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

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(R363, S364)

**No. 212**

**An Act To Require Vital Statistics Reports In Williamsburg County Now Filed With The Clerk Of Court To Be Filed With The County Health Department.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Williamsburg County to file vital statistics reports with County Health Department.**—All persons in Williamsburg County now by law required to file vital statistics reports in the office of the Clerk of Court of Williamsburg County shall file them instead with the county health department, which department shall keep and preserve them as a public record as now required of the clerk of court.

**SECTION 2. Records to be transferred from clerk of court.**—Vital statistics reports now in the custody of the Clerk of Court of Williamsburg County shall be transferred to the custody of the county health department. The county health department is hereby authorized and directed to issue copies of the reports to any person requesting them, and to use an impression seal.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

(R365, S351)

**No. 213****An Act To Provide Judge Of Probate Fees For Richland County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Judge of Probate fees for Richland County.**—Notwithstanding the provisions of Section 27-316 of the 1962 Code, or any other provisions of law, the following fees and costs shall be charged by the Judge of Probate of Richland County:

For an ordinary intestacy or administration c.t.a., \$35.00. If the estate does not exceed one thousand dollars the fee shall be one-half this amount.

This fee shall include:

- Advertising as required by law
- Petition for letters of administration
- Copy of petition
- Filing administration bond
- Letters of administration
- Inventory and appraisement
- Copy of inventory and appraisement
- Description of real estate
- Filing petition for discharge
- Two certificates
- Filing and recording final return
- Letters dismissory

For an estate in which a will is included and where the executor serves, \$30.00. If the estate does not exceed one thousand dollars the fee shall be one-half this amount.

This fee shall include:

- Advertising as required by law
- Petition to prove will
- Copy of petition
- Filing and recording of will
- Copy of will
- Letters testamentary
- Inventory and appraisement
- Copy of inventory and appraisement
- Description of real estate
- Two certificates
- Petition for final discharge
- Filing and recording final return
- Letters dismissory

The schedule of fees to be charged by the Probate Judge under the provisions of Section 19-555 of the 1962 Code shall be (a) estates with a gross value not exceeding one hundred dollars, five dollars; (b) estates with a gross value of over one hundred dollars but not more than five hundred dollars, fifteen dollars; and (c) estates with a gross value of over five hundred but not more than one thousand dollars, twenty-five dollars.

For any additional documents not included in the above, the fee shall be in accordance with those rates set forth in Section 27-316 of the 1962 Code. All such fees and costs shall be collected by the treasurer in advance for credit to the ordinary funds of the county.

**SECTION 2. Time effective.**—This act shall take effect July 1, 1963.

Approved the 17th day of May, 1963.

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(R368, S125)

**No. 214**

**An Act To Amend Section 55-611 Of The 1962 Code, As Amended, Relating To The Paroling Of Prisoners, So As To Further Provide For Paroles.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (1) of Section 55-611, 1962 Code, amended—parole of prisoners.**—Item (1) of Section 55-611 of the 1962 Code, as amended, is further amended by inserting a period after the word “term” of line 2 and striking the remainder of the item, so that, when so amended, the item shall read as follows:

“(1) Who, if sentenced for not more than thirty years, shall have served at least one-third of the term.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R369, S192)

**No. 215**

**An Act To Allow, Under Certain Conditions, The Commissioner Of Agriculture To Release Products, Merchandise Or Equipment Placed Under Restraining Orders.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Commissioner of Agriculture may release certain items from restraining orders.**—If any product, merchandise or equipment regulated by the Department of Agriculture is placed under a restraining order of or by the Commissioner of Agriculture, the Commissioner may release any such item upon compliance with, and payment of, all costs or expenses incurred in any proceeding pursuant to such order.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

(R370, S223)

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**No. 216**

**An Act To Amend Section 31-202 Of The 1962 Code, Which Defines Certain Terms Used In The Uniform Veterans' Guardianship Act, So As To Enlarge The Definition Of Guardianship In Subsection (6) To Include A Committee For A Person Over Twenty-One Years Old.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 31-202, 1962 Code, amended—definitions.**—Section 31-202 of the 1962 Code is amended by striking the words “a ward” in subsection (6) and inserting in lieu thereof the following: “any ward, including a committee for a person over twenty-one years old,” so that when amended Section 31-202 shall read as follows:

“Section 31-202. As used in this chapter:

(1) The term ‘Veterans’ Administration’ means the United States Veterans’ Administration or its successor;

(2) The terms ‘estate’ and ‘income’ shall include only moneys received by the guardian from the Veterans’ Administration and all earnings, interest and profits derived therefrom;

(3) The term ‘benefits’ shall mean all moneys payable by the United States through the Veterans’ Administration;

(4) The term ‘Administrator’ means the Administrator of Veterans’ Affairs of the United States or his successor;

(5) The term ‘ward’ means a beneficiary of the Veterans’ Administration; and

(6) The term 'guardian' shall mean any person acting as a fiduciary for any ward, including a committee for a person over twenty-one years old."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R371, S230)

**No. 217**

**An Act To Authorize The Wildlife Resources Department To Issue A Permit For The Removal Of Wildlife From Private Property In Game Zone 2 Where Their Presence Is Causing Destruction To Property.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Game Zone 2, owner of property may remove destructive wildlife.**—Where wildlife is destroying property in Game Zone 2 the Wildlife Resources Department, upon the request of the property owner, may issue a permit authorizing the property owner, under the supervision of the Wildlife Resources Department, to take whatever action is necessary to remove the destructive wildlife from his property in Game Zone 2.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R372, H1523)

**No. 218**

**An Act To Create The Rural Communities Water District Of Lancaster County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Rural Communities Water District created in Lancaster County.**—There is hereby created a body corporate and politic of perpetual succession to be known as the Rural Communities Water

District of Lancaster County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes to the communities of Elgin, Pleasant Hill and Rich Hill, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

**SECTION 2. Service area.**—The district shall include and be comprised of the following territory which shall be known as the service area:

Beginning at a point in the center of U. S. Highway 521, 1000' south of the center of Bear Creek bridge, thence perpendicular to said highway NE 1000' to a point east of U. S. 521, thence SE 1000' east of and parallel to U. S. Highway 521 to a point perpendicular to first east branch of Bear Creek, thence NE with said branch to a point 500' south of S. C. Highway 903, thence SE and parallel to county road and 1000' east of said county road and continuing on to center of Bear Creek at center of road 29—172 and Bridge. Thence with Bear Creek crossing roads 29—36 c. 1. 29-156, thence 1000' north of road 29—224 and parallel with said road and crossing 500' east of S. C. Highway 522, thence SW 500' east of and parallel with S. C. Highway 522 to within 1000' of road 29-47, thence 1000' north of and parallel to road 29-47 to Baskins Creek then southerly with center of said creek 1000' south of road 29-94 ext., thence SW 1000' south and parallel to road 29-94 to within 1000' of road 29-60, thence SE 1000' North of and parallel to road 29-60 and crossing road 29-60, 1000' from intersection of road 29-72 and running SW parallel and 1000' south of road 29-72 to a point 1000' south of road 29-159 and crossing road 29-72 NW at that point and 1000' south of and

parallel to road 29-159 to a point intersecting Camp Creek. Thence with center of Camp Creek and crossing road 29-159 to a point where Camp Creek crosses road 29-617, thence NW in a straight line, approximately 2.6 mi. to head of western branch of Turkey Quarter Creek, thence NW with center of said branch to intersection of Turkey Quarter Creek, thence NW with Turkey Quarter Creek to City Reservoir, thence with east bank of reservoir NE to within 200' of Lancaster water and sewage district transmission line, thence NE 200' from and parallel to transmission line to center of U. S. Hwy 521, thence SE 450' with center of U. S. Hwy 521 to point of beginning.

**SECTION 3. District to be managed by board of directors.**

—The district shall be operated and managed by a board of directors to be known as the "Rural Communities Water District Board of Lancaster County" which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of these areas and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

**SECTION 4. Powers and duties.**—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limiting the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.
- (15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.
- (17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.
- (18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Lancaster County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon

the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

**SECTION 5. Rates not to be regulated.**—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Fiscal year—audit and annual report.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Lancaster County, and with the Secretary to the Legislative Delegation of Lancaster County.

**SECTION 8. Unlawful acts—penalties.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any

part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 9. Municipalities may purchase water from district.**

—The municipalities of Lancaster County and all public bodies and public agencies now or hereafter operating water distribution systems in Lancaster County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

**SECTION 10 Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R373, H1637)

**No. 219**

**An Act To Amend Section 14-3664 Of The 1962 Code, Relating To The York County Board Of Rural Fire Control, So As To Increase The Tax Levy.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-3664, 1962 Code, amended—board may borrow money—tax levy.**—Section 14-3664 of the 1962 Code is amended on line 13 by striking “one-half” and inserting in lieu thereof “one”, so that when amended the section shall read as follows:

“Section 14-3664. The Board is hereby directed to borrow not exceeding eighty thousand dollars, if so much be necessary, at a rate of interest not exceeding two per cent. Preference in obtaining this loan shall be given to the banking institutions of the county. In the event that the funds provided for herein cannot be borrowed from any county banking institution, the county sinking fund commission shall make such loan to the Board at the rate of interest

above specified. As evidence of the indebtedness the Board and the county treasurer shall execute and deliver to the lender promissory notes of the county which shall mature not later than seven years from their date. The county auditor shall calculate the millage increase necessary to retire within seven years the eighty thousand dollars provided in this section, and shall levy such millage, not exceeding one mill on the assessed value of all taxable property in the county. The full faith, credit and taxing power of the county are hereby pledged for the payment of the entire indebtedness provided for herein."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R374, H1665)

**No. 220**

**An Act To Make Special Provision For The Indexing Of And Filing Fees For Chattel Mortgages In Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Williamsburg County—indexing of chattel mortgages—fee.**—Notwithstanding the provisions of Sections 60-302 and 27-100 of the 1962 Code, in Williamsburg County the clerk of court shall keep only one set of indexes for chattel mortgages and shall index therein all chattel mortgages filed with him regardless of the amount of the mortgage. The fee for indexing and recording any chattel mortgage shall be one dollar.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R376, H1700)

**No. 221**

**An Act To Exempt Certain Property In Greenwood County From County Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain organizations in Greenwood County exempt from taxation.**—The property of the following eleemosynary organizations in Greenwood County shall be exempt from all county taxes: Any Masonic lodge or order of the county; the Greenwood Shrine Club; the Moose Club; the Elk's Club; the Little Theater; and Greenwood Alcanon, Inc.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R377, H1701)

**No. 222**

**An Act To Provide That Certain Constables In Greenwood County May Serve As Jurors.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Certain constables in Greenwood County may serve as jurors.**—Any person appointed by the Sheriff of Greenwood County as an unpaid special constable shall not, by virtue of such office, be disqualified from serving as a petit or grand juror.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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(R379, S152)

**No. 223**

**An Act To Amend Section 43-69 Of The 1962 Code, Relating To The Abolition Of The Jurisdiction Of Magistrates In Criminal Cases In Counties Wherein County Courts Are Established, So As To Provide That The Abolition Shall Apply Only To Courts Established By Authority Of The Provisions Of Article 1 Of Chapter 5 Of Title 15 Of The 1962 Code.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 43-69, 1962 Code, amended—criminal jurisdiction of certain magistrates abolished.**—Section 43-69 of the 1962 Code is amended by adding on line two, between the words

“provisions” and “of” the words “of Article 1”, so that when amended the section shall read as follows:

“Section 43-69. The jurisdiction of magistrates in criminal cases in all counties wherein a county court is established under the provisions of Article 1 of Chapter 5 of Title 15 is hereby abolished.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R380, S173)

**No. 224**

**An Act To Permit The Use Of Baskets For The Catching Of Nongame Fish In The Waters Of The Edisto River In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Use of baskets for catching nongame fish in Edisto River in Dorchester County.**—One basket per fisherman may be used in the waters of the Edisto River in Dorchester County for the taking of nongame fish, provided that a tag issued by the South Carolina Wildlife Resources Department is attached to the basket. The tags shall cost one dollar each and shall be good for the calendar year in which they are issued.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R381, S323)

**No. 225**

**An Act To Confirm The Appointment Of The Members Of The Area Committee For Technical Education Center For Florence And Darlington Counties; To Constitute The Area Committee As The Darlington County Commission For Technical Education Referred To In Act No. 1079 Of 1962; To Ratify Actions Heretofore Taken By The Area Committee, And To Validate Bonds Issued By Darlington County Pursuant To Act No. 1079 Of 1962.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Members of Area Committee for Technical Education Center for Florence and Darlington Counties appointed.**—The General Assembly finds that on March 12, 1962, the following persons were appointed members of the Area Committee for Technical Education Center for Florence and Darlington Counties (hereinafter referred to as the Area Committee): A. Lee Chandler, Darlington, three years; Charles Fogg and Harry L. Snead, Jr., Florence, three years; N. S. Welch and Preston H. Beatty, Darlington, two years; L. M. Coleman, Florence, two years; Marion B. DeWitt, Darlington, one year; Dennis D. O'Brian and Jack Wellman, Florence, one year. That the members later qualified, and the Area Committee constituted the qualified and acting committee for the administration of the program of vocational and technical education provided for under Section 23 of Act No. 323 of the 1961 Acts, now codified as Article 7, Chapter 15, Title 21 of the 1962 Code, in Darlington and Florence Counties.

**SECTION 2. Appointments ratified—Area Committee to administer program—composition of.**—The appointment of the members of the Area Committee is hereby ratified and confirmed, and the Area Committee shall constitute the administrative agency to administer the program of vocational and technical education in Darlington and Florence Counties under Article 7, Chapter 15, Title 21, of the 1962 Code. The Area Committee shall consist of nine members, who shall be qualified registered electors of Darlington and Florence Counties; *provided*, that not more than five members may be registered qualified electors of one county. The appointment to office of the Area Committee shall be made by the Governor upon the recommendation of a majority of the legislative delegation, including the Senator, from the county of which the appointee is a resident. Upon the expiration of the terms of office of the present members of the Area Committee, their successors shall be appointed for terms of three years in the manner provided for in this section. If any vacancy shall occur, a successor shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from the county of which the appointee is a resident, for the unexpired portion of the term. The members of the Area Committee shall hold office until their successors are appointed and qualify.

**SECTION 3. Powers and duties.**—The Area Committee is authorized to do all things necessary or convenient to promote the objects

of the program instituted by Article 7, Chapter 15, Title 21, of the 1962 Code, and without in any way limiting the generality of the foregoing, is authorized:

- (1) To adopt and use a corporate seal;
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable;
- (3) To acquire additional sites within Darlington and Florence Counties and to construct and equip thereon appropriate facilities in accordance with the standards and specifications promulgated by the State Advisory Committee established by Article 7, Chapter 15, Title 21, of the 1962 Code;
- (4) To acquire by gift, purchase, or otherwise, all kinds and descriptions of real and personal property;
- (5) To accept gifts, grants, donations, devises and bequests;
- (6) To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education;
- (7) To provide the necessary administrative services required by the State Program;
- (8) To employ such personnel as may be necessary to enable the Area Committee to fulfill its functions;
- (9) To establish, promulgate and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency, for the operation of its facilities;
- (10) To expend any funds received in any manner, including the proceeds derived from any bonds issued by either Darlington County or Florence County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds for the operation, maintenance and improvement of the facilities;
- (11) To apply for, receive, and expend moneys from all governmental agencies, both State and Federal; and
- (12) To exercise all powers contemplated for local agencies by Article 7, Chapter 15, Title 21, of the 1962 Code, and all other laws modifying, amending or implementing it.

**SECTION 4. Actions of Area Committee ratified.**—The Area Committee shall constitute the Darlington County Commission for Technical Education referred to in Act No. 1079 of 1962, and all actions heretofore taken by the Area Committee, acting as the Darlington County Commission for Technical Education, including the acquisition of a site in Florence County, and the construction and

equipping of appropriate facilities thereon, jointly financed by Darlington and Florence Counties, and the joint conduct of the State Vocational and Technical Education Program for Darlington and Florence Counties are hereby ratified and confirmed in all respects, and all bonds issued by Darlington County pursuant to the authorizations of Act No. 1079 of 1962 are validated and confirmed as binding legal obligations of Darlington County.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R382, S353)

**No. 226**

**An Act To Increase The Number Of Petit Jurors Drawn In Lexington County From Thirty-Six To Forty-Six.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Number of jurors for Lexington County.**—Notwithstanding the provisions of Section 38-61.1 of the 1962 Code, the Jury Commissioners of Lexington County shall draw forty-six petit jurors.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R383, S360)

**No. 227**

**An Act Creating The Allendale Industrial Park Water And Sewerage District; To Provide For Its Membership And Terms Of Office, Powers And Duties; To Provide For The Issuance Of Bonds; To Provide For The Borrowing Of Money; And To Provide For Repayments.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Allendale Industrial Park Water and Sewerage District created.**—There is hereby created a body corporate and politic to be known as the Allendale Industrial Park Water and Sewerage

District, hereinafter sometimes referred to as the "District". It shall be the function of the District to acquire supplies of fresh water and to furnish sewerage facilities for industrial and domestic use within the area and adjacent thereto. The District shall be composed of that area between the incorporate limits of the Towns of Allendale and Fairfax extending north and south of State Highway No. 28 for one-half mile more or less, in Allendale County.

**SECTION 2. To be governed by a commission.**—The governing body of the District shall be a three man commission who shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation. Of those recommended for original appointments, one shall be appointed for two years, one shall be appointed for four years and one shall be appointed for six years. Thereafter, all terms shall be for six years. Any vacancy occurring shall be filled for the unexpired term. All appointees shall serve until their successors have been appointed and qualified.

**SECTION 3. Compensation.**—The members shall receive no compensation but may be reimbursed for any actual expenses incurred in connection with the business of the District.

**SECTION 4. Officers.**—The members shall elect a chairman, vice-chairman and secretary at the organizational meeting.

**SECTION 5. Powers and duties.**—The District shall be fully empowered to acquire, construct, operate, maintain, improve and extend facilities which would enable it to obtain and distribute fresh water and to sell it and to furnish sewerage facilities to any person within the area or to contract for such services to any person adjacent to the area. The District shall also have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To establish a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and water reservoirs.
- (8) To impound fresh water in lakes or reservoirs.

(9) To build, construct, maintain and operate water distribution systems for the distribution of water for domestic or industrial use and from time to time enlarge and extend the same.

(10) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful to discharge the functions committed to the District by this act.

(11) To accept gifts or grants of services, properties or moneys from the United States, or any of its agencies, under such conditions as the United States, or such agency shall prescribe.

(12) To sell water for industrial or domestic use.

(13) To prescribe rates and regulations under which water shall be sold for domestic and industrial use.

(14) To enter into contracts for the sale of water, upon such terms as the parties thereto shall approve, with persons, private corporations, municipal corporations, public bodies, public agencies and with the United States Government or any agencies thereof.

(15) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs or distribution systems.

(16) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the District.

(17) To lease or sell and convey lands, or interest therein.

(18) To make use of county and State highway rights of way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

(19) Subject always to the limitations of Section 4, Article VIII of the Constitution, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(20) To alter and change county and State highways wherever necessary in order that it may discharge the functions committed to it, in such manner and under such conditions as the appropriate officials in charge of such highways shall approve.

(21) To acquire, by purchase, gift, or through the exercise of eminent domain, all land, interests therein, easements, rights of way which the District shall deem necessary to enable it to fully and adequately discharge all functions committed to it. The power herein granted shall be deemed to include the power to acquire protective areas of land adjacent to any of its facilities.

(22) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto. *Provided*, however, that the power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain.

(23) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(24) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(25) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improvement thereto shall be fully in operation, and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the District may incur in establishing, extending and enlarging the facilities. Neither the faith and credit of the State, nor of any county, municipality or political subdivision of the State shall be pledged for the payment of the principal and interest of the obligations and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the District nor any person signing the obligation shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the District shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred

upon the District by such Code provisions, the District may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the District may:

(a) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then **matured;**

(b) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the facilities, in accordance with and in the order of priority prescribed by the resolutions adopted by the District as an incident to the issuance of any notes, bonds or other types of securities;

(c) Declare that such obligations and the interest thereon shall be exempt from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise; this provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities;

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve;

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the District shall approve;

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount;

(g) Limit or prohibit free service to any person, firm, corporation, municipal corporation, or any subdivision or division of the State;

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent be given;

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared

due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

(26) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the District.

**SECTION 6. Rates not subject to State regulation.**—The rates charged for services furnished by the District shall not be subject to supervision or regulation by any State bureau, board, commission or like instrumentality or agency thereof.

**SECTION 7. Exempt from taxes.**—All property of the District shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 8. Audit and annual report.**—The District shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants, of good standing, to be designated by the District. Copies of such audits, incorporated into an annual report of the District, shall be filed in the office of the Clerk of Court for Allendale County, and with the Secretary of State.

**SECTION 9. Unlawful acts—penalties.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the facilities of the District, or any part of the same, or any machinery, apparatus or equipment of the District, or to pollute the water in any part of its service area, or to obtain water therefrom except in accordance with the regulations promulgated by the District. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the District.

**SECTION 10. Revenues.**—All revenues derived by the District from the operation of its facilities, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the District from time to time for purposes germane to the functions of the District, or in such other manner as the General Assembly may, by proper enactment, direct.

**SECTION 11. Municipalities may purchase water from district.**

—All municipalities, public bodies and public agencies operating water district systems in Allendale County shall be fully empowered to enter into contracts to buy water from the District. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the District, and to the contracting municipality, public body or public agency.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R384, S363)

**No. 228**

**An Act To Amend Section 14-400.843 Of The 1962 Code, Relating To Fees For Building Permits In Georgetown County, So As To Increase The Fee To One Dollar; And To Amend The 1962 Code By Adding A New Section, So As To Prohibit Electric Utility Companies Or Rural Electric Cooperatives From Making New Connections To Any Building Facility For Which A Building Permit Has Not Been Issued.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-400.843, 1962 Code, amended—fee for permit.**—Section 14-400.843 of the 1962 Code is amended by striking “fifty cents” on line 3 and inserting in lieu thereof “one dollar” so that, when so amended, it shall read as follows:

“Section 14-400.843. Each applicant at the time of securing any permit under this article shall pay to the magistrate an inspection and permit fee of one dollar for each building covered in the permit. The magistrate shall retain such fees to cover the cost of issuing permits and any and all other expenses in connection with the enforcement of this article.”

**SECTION 2. Code of 1962 amended—Section 14-400.847.1 added—electricity not to be furnished without permit.**—The 1962 Code is amended by adding a new section, to be Section 14-400.847.1, as follows:

“Section 14-400.847.1. It shall be unlawful for any electric utility company, either privately or publicly owned, or rural electric co-

operative to make a new connection of electrical energy to a new building or facility requiring a permit under this article unless such a permit was acquired for the construction of the building or facility. Any company or cooperative making such a connection after the permit is obtained shall report to the county auditor on or before the tenth of each month the location of each connection, together with such other information as the auditor may direct."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R387, S380)

**No. 229**

**An Act To Provide For Special Reassessment Of Realty In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Property in Greenwood County may be reassessed.**—Notwithstanding any provision of law to the contrary, the Board of Assessors of Greenwood County is empowered to reassess any parcel of real estate in any year in which it deems such action necessary to reflect the proper value of the parcel. The board shall give written notice to the owner of any property reassessed, or his agent, of the valuation determined for the property.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R389, S382)

**No. 230**

**An Act To Repeal Section 14-2564.1 Of The 1962 Code, Relating To Deposits Made By The Treasurer Of Lancaster County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-2564.1, 1962 Code, repealed.**—Section 14-2564.1 of the 1962 Code is repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R392, H1450)

**No. 231.**

**An Act To Provide An Alternative Method Of Annexation For Municipalities, And To Define The Word "Freeholder" As Used In Annexation Proceedings.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Municipalities may annex adjacent territory.**—

In addition to the method of initiating an annexation election provided for in Sections 47-12 through 47-14 of the 1962 Code, cities and towns may annex adjacent territory as follows: Upon presentation to the city or town council of a petition signed by twenty-five per cent of the freeholders resident in the area or territory proposed to be annexed, the city or town council shall forthwith certify such fact to the county commissioners of election together with a description of the territory proposed to be annexed; and, thereupon, the county commissioners of election shall order a referendum and an election to be held as herein provided. Except, however, with respect to any city or town having a population of twenty-five thousand, or more, said petition shall contain only fifteen per cent, or more, of said freeholders resident in the area or territory proposed to be annexed.

**SECTION 2. Referendum to be held.**—As a prerequisite to the annexation election provided for in Section 1 of this act, there shall be held a referendum (either prior to or simultaneous with the annexation) in which all freeholders owning property in the territory proposed to be annexed shall be entitled to vote.

**SECTION 3. Conduct of referendums and election.**—In cases where the referendum is held prior to the election, if a majority of the freeholders voting in such referendum do not approve the proposed annexation, the election shall not be held. In cases where the referendum and the election are held simultaneously, separate boxes shall be maintained to receive the votes of the freeholders voting in the referendum and those of the registered electors voting in the election. In order for an annexation to be validly effected,

a majority of the freeholders voting in the referendum must approve the annexation; and a majority of the registered electors voting in the election must approve the annexation, both within the territory proposed to be annexed and within the corporate limits of the municipality.

**SECTION 4. If defeated, another election cannot be held for 24 months.**—When an annexation election is defeated either by the voters inside the municipality concerned or within the territory proposed to be annexed, or both, another annexation election within the territory proposed to be annexed shall not be initiated within a period of twenty-four months from the date upon which the voting took place.

**SECTION 5. Annexed area not to exceed one-fourth of area of municipality.**—When the procedure for annexation provided for in this act is followed the area of the territory proposed to be annexed shall at no time exceed one-fourth of the area of the municipality.

**SECTION 6. Notice of referendum or election required.**—No annexation referendum or election shall be initiated pursuant to this act unless a notice of the referendum and election shall have been inserted in a newspaper of general circulation within the municipality and the territory proposed to be annexed for once a week for at least four successive weeks, the first such notice to be given at least sixty days prior to the date of the election. The notice shall state the purposes of the election, the date, and the location of the various voting places. There shall be provided at least one polling place within the area sought to be annexed.

**SECTION 7. One municipality may not annex any portion of another municipality.**—The annexation procedure provided in this act shall not be applicable to annexation of the whole or any portion of an existing incorporated municipality, either with or without adjacent unincorporated territory, by the municipality initiating such election.

**SECTION 8. List of freeholders to be furnished commissioners of election.**—Not later than twenty days prior to the freeholders referendum provided herein, the county auditor shall furnish to the county commissioners of election a list of freeholders showing the names of the freeholders owning the property within the territory proposed to be annexed as shown by the county tax records. The county commissioner of election shall use this list to determine what persons are eligible to vote in the referendum.

**SECTION 9. Freeholder defined.**—For the purposes of Sections 47-12 and 47-14 of the 1962 Code and of this act, a “freeholder” is defined as any person twenty-one years of age, or older, and any firm or corporation, who or which owns legal title to a present possessory interest in real estate equal to a life estate or greater (expressly excluding lease holds, easements, equitable interests, inchoate rights, dower rights and future interests) and who owns, at the date of the petition or of the referendum, at least an undivided one-tenth interest in a single tract and whose name appears on the county tax records as an owner of real estate.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R396, H1694)

**No. 232**

**An Act To Amend Section 14-400.64 Of The 1962 Code, Relating To Functions Of The Beaufort County Development Commission, So As To Permit The Commission To Buy And Sell Real Estate.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-400.64, 1962 Code, amended—functions of Beaufort County Development Board devolved upon Development Commission.**—Section 14-400.64 of the 1962 Code is amended by striking on line 5 between “trade,” and “(3)” the word “and” and by adding at the end of the first paragraph the following: “and (4) to buy, sell, hold and lease real estate.”. The section when amended shall read as follows:

“Section 14-400.64. The following functions, heretofore exercised by the Beaufort County Development Board, are hereby devolved upon the Beaufort County Development Commission: (1) To encourage the location of industry; (2) to encourage the tourist trade; (3) to promote adequate markets for the products grown by the farmers of Beaufort County, through the institution of an advertising program, through cooperative efforts with municipalities of the county and organizations having similar aims, and through such other activities as will tend to accomplish the purposes of the Commission; and (4) to buy, sell, hold and lease real estate.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R397, H1698)

**No. 233**

**An Act To Amend Section 15-708 Of The 1962 Code Relating To Fees Received By The Stenographer Of The Special Referee In Orangeburg County, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 15-708, 1962 Code, amended—stenographer.**—Section 15-708 of the 1962 Code is amended by striking on line five the word “three” and inserting in lieu thereof the word “five”; by striking on line eight the word “thirty” and inserting in lieu thereof the word “fifty” and by striking on line eight the word “fifteen” and inserting in lieu thereof the word “thirty”, so that when amended the section shall read as follows:

“Section 15-708. The county judge may appoint or employ a stenographer in connection with the discharge of his duties as special referee, who shall be paid such salary as shall be authorized by law and in addition shall be allowed as a part of the costs in any suit the sum of five dollars for taking the testimony. A copy of such testimony shall be furnished to counsel for either side without additional charge; *provided*, that if the transcript exceeds ten pages a charge of fifty cents per page for the original and thirty cents per page for copies may be made, the copies to be paid for by the party requesting them.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R398, H1708)

**No. 234**

**An Act To Amend Section 21-4151 Of The 1962 Code, Relating To The School System Of Union County By Providing That All**

**Of Union County Shall Be A Single School District To Be Known As The School District Of Union County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-4151, 1962 Code, amended—Union County to have one school district.**—Section 21-4151 of the 1962 Code is hereby amended to read as follows:

“Section 21-4151. The whole of Union County shall constitute a single school district to be known as The School District of Union County. As such, it shall be the territorial unit for financing and operating the public schools, including school bus transportation, within the county, as well as the unit for receiving all local, State and federal funds provided for or allocated to the county for educational purposes; and the central authority for operating the system of public education in the county is hereby vested in the county superintendent of education of Union County, the Union County board of education and the Union County board of trustees, to be constituted and selected as provided in this chapter. All assets of former school districts of Union County shall become the property of The School District of Union County, which shall assume all of their liabilities.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R403, H1731)

**No. 235**

**An Act To Amend Section 21-3103 Of The 1962 Code, Relating To The School System Of Jasper County, So As To Provide That All Of Jasper County Shall Be A Single School District To Be Known As “The School District Of Jasper County.”**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-3103, 1962 Code, amended—Jasper County to have one school district—trustees.**—Section 21-3103 of the 1962 Code is amended by striking it and inserting in lieu thereof the following:

“Section 21-3103. All school districts in Jasper County are consolidated into one district to be known as The School District of

Jasper County. The new district shall have a board of twelve trustees, to be appointed in the manner prescribed by law for a term of two years. Three trustees shall be appointed from each of the four townships in the county. The trustees shall be appointed during the first week of January."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R408, H1757)

**No. 236**

**An Act To Amend Section 27-309.1 Of The 1962 Code, Relating To Fees Of The Probate Judge Of Fairfield County, So As To Base Certain Fees On The Amount Of A Decedent's Gross Estate.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 27-309.1, 1962 Code, amended—judge of probate fees for Fairfield County.**—Section 27-309.1, added to the 1962 Code by an Act of 1963, bearing Ratification No. 247, is amended by striking it out and inserting in lieu thereof the following :

"Section 27-309.1. The fees of the probate judge of Fairfield County shall be as set forth in this section, except that if the fee for any service be not set forth in this section, then such fee shall be as provided by general law. The fees for the ordinary settlement of a decedent's gross estate shall be as follows :

- (a) On estates of one thousand dollars or less, twelve dollars;
- (b) On estates of two thousand dollars or less, fourteen dollars;
- (c) On estates of three thousand dollars or less, sixteen dollars;
- (d) On estates of four thousand dollars or less, eighteen dollars;
- (e) On estates of five thousand dollars or less, twenty dollars;
- (f) On estates of ten thousand dollars or less, twenty-five dollars;
- (g) On estates of twenty thousand dollars or less, thirty dollars;
- (h) On estates over twenty thousand dollars to fifty thousand dollars, thirty-five dollars; and
- (i) On estates over fifty thousand dollars, fifty dollars.

The costs aforesaid shall not include any costs paid a printer for advertising and shall be due and payable on the appointment of the executor or administrator."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R409, S247)

**No. 237**

**An Act To Amend Section 65-1570 Of The 1962 Code, Relating To Tax Exemptions For Certain Industries In Spartanburg County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-1570, 1962 Code, amended—industrial establishments in Spartanburg County exempt from taxes.**—Section 65-1570 of the 1962 Code is amended by striking on line 9 the words “one hundred” and inserting in lieu thereof the word “fifty” and by striking on line 10 the word “and” and inserting in lieu thereof the word “or” and by deleting the last sentence. The section when so amended shall read as follows:

“Section 65-1570. Every new industrial establishment constructed and equipped at a cost of not less than fifty thousand dollars and employing twenty-five or more persons in Spartanburg County shall be exempt from all county taxes, except for school purposes, for five years from the time it would have become liable for such taxes. The term ‘all county taxes’ as used in this section shall mean the general county levy, library levy, metropolitan sewer district levy, any water district levy, or any other levy. All additions to existing industrial establishments in Spartanburg County, when the cost of such addition is not less than fifty thousand dollars or when such addition provides employment for not less than fifty additional persons, full time, within Spartanburg County, shall to the extent of the tax value of such additions have a like exemption. When such new industrial establishments occupy real estate owned by a separate corporation, the exemptions herein shall be extended to both the real estate and the chattels utilized by such new industry.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R411, S349)

**No. 238**

**An Act To Amend Section 28-481.3 Of The 1962 Code, Relating To Open Season For Trapping Raccoons And Opossums In Game Zone No. 8, So As To Abolish The Open Season And To Provide For The Use Of Traps Under Certain Conditions In Such Game Zone.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-481.3, 1962 Code, amended—trapping of raccoons and opossums in Game Zone 8.**—Section 28-481.3 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 28-481.3. There shall be no open season for the trapping of raccoons and opossums in Game Zone No. 8 and the provisions of Section 28-481.1 shall not apply to Game Zone No. 8. The provisions of this section shall not affect the right to set steel traps as provided in Section 28-490.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R412, S383)

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**No. 239**

**An Act To Amend Section 14-2591 Of The 1962 Code, Relating To The Historical Commission For Lancaster County, So As To Increase The Membership.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-2591, 1962 Code, amended—Historical Commission for Lancaster County created.**—Section 14-2591 of the 1962 Code is amended by striking the word “five” on line 2 and inserting the word “eight” so that when so amended the section shall read as follows :

“Section 14-2591. There is hereby created a Historical Commission for Lancaster County, to be composed of eight members to be appointed by the Governor on the recommendation of a majority of the county legislative delegation, including the Senator. The members of the Commission shall be appointed for terms of three years and

until their successors are appointed and qualified. In case of any vacancy prior to the expiration of a regular term, the appointment to fill such vacancy shall be made in the same manner as provided for the original appointment and for the unexpired portion of the term. The Commission upon being appointed shall meet and elect a chairman and secretary-treasurer."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R413, H1297)

**No. 240**

**An Act To Amend Sections 22-302 And 22-303 Of The 1962 Code, Relating To The Board Of Visitors Of The Citadel, The Military College Of South Carolina, So As To Provide For An Additional Member Thereof And To Increase The Terms Of Those Members Elected By The Association Of Citadel Men.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 22-302, 1962 Code, amended—Board of Visitors of The Citadel—composition of.**—Section 22-302 of the 1962 Code is amended by striking the word "nine" on line 5 and inserting in lieu thereof the word "ten", by striking the word "two" on line 7 and by inserting in lieu thereof the word "three", so that when amended the section shall read as follows:

"Section 22-302. The board of visitors of The Citadel, the Military College of South Carolina, shall be composed of the Governor, the Adjutant General, the State Superintendent of Education and the chairmen of the military committees of the Senate and House of Representatives, who shall be members ex officio of said board, and ten others who shall be graduates of said college, seven of whom are to be elected by joint vote of the General Assembly as hereinafter provided and three of whom are to be elected by such means and methods as may be determined by the Association of Citadel Men or any succeeding organization of Citadel men, the result of the election to be certified by the president of the association to the Secretary of State."

**SECTION 2. Section 22-303, 1962 Code, amended—terms.**—Section 22-303 of the 1962 Code is amended by inserting a " ; " after the

word "years" on line 6 and by striking the remaining portion of the sentence and by adding the following after the ";" on line 6: "*provided*, that the third member authorized to be elected by the Association of Citadel Men shall serve an initial term of four years." The section when amended shall read as follows:

"Section 22-303. The regular terms of office of the elected members in office on April 18, 1947 who are still in office shall end on the last day of June in the years stated in the table in Act No. 108 of the regular session of 1947 (Acts 1947, p. 144). The regular terms of office of the members who were not in office on that date and of all members hereafter elected shall be six years; *provided*, that the third member authorized to be elected by the Association of Citadel Men shall serve an initial term of four years. All terms shall begin on the first day of July and end on the last day of June; *provided*, however, that each incumbent shall be entitled to hold office until his successor is duly elected."

**SECTION 3. Time effective.**—This act shall take effect on January 1, 1965.

Approved the 24th day of May, 1963.

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(R414, H1351)

**No. 241**

**An Act To Amend Section 65-318 Of The 1962 Code, Relating To Income Taxes, So As To Provide That Taxpayers May File Completed Returns Of Income On Or Before The Last Day Of The Thirteenth Month After The Beginning Of The Taxable Year, In Lieu Of Payment Of Final Installments Of Estimated Tax And To Provide For The Payment Of Interest On Refund Of Excessive Advance Payment Of Income Taxes Where A Delay In Refund Of More Than Seventy-Five Days Occurs; And To Amend Section 65-383 Of The 1962 Code, Relating to Refunds On Withholding Of Income Tax, So As To Provide For The Payment Of Interest On Such Refunds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-318, 1962 Code, amended—completed return may replace final payment of estimated tax.**—Section 65-318 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 65-318. A taxpayer, in lieu of making the installment payment of estimated tax due on the fifteenth day of the thirteenth month after the beginning of the taxable year, may file on or before the last day of the thirteenth month a completed return of income and, in that event, shall pay in full the balance of income tax payable over and above the estimated taxes paid and credits for withholding taxes on wages shown in such return. In the event that the completed return, giving due regard to credits for withholding taxes withheld and estimated taxes previously paid, indicates an overpayment of tax, the return shall constitute a claim for refund of the excess. The taxpayer may, at his option, claim credit for any excess payment of estimated tax or taxes withheld against his estimated tax liability for the next succeeding taxable year. No interest shall be paid on refunds of excessive estimates or taxes withheld during the first seventy-five days following the due date for the filing of the return of income or the date the return was filed whichever occurs later, but thereafter interest at the rate of six per cent per annum shall be due and payable."

**SECTION 2. Section 65-386, 1962 Code, amended—refund or credit for overpayment.**—Section 65-386 of the 1962 Code is amended by adding at the end of item (1) the following sentence: "No interest shall be paid on refunds during the first seventy-five days following the due date for the filing of the return of income or the date the return was filed whichever occurs later, but thereafter interest at the rate of six per cent per annum shall be due and payable." The section when amended shall read as follows:

"Section 65-386. (1) Where there has been an overpayment of tax under the provisions of Section 65-379 to 65-385 refund or credit shall be made to the withholding agent only to the extent that the amount of such overpayment was not deducted and withheld by the withholding agent from the employee, and to the employee only to the extent that the amount of such overpayment was deducted and withheld by the withholding agent. Refunds or credits provided by this section shall not bear interest. No interest shall be paid on refunds during the first seventy-five days following the due date for the filing of the return of income or the date the return was filed whichever occurs later, but thereafter interest at the rate of six per cent per annum shall be due and payable.

(2) Refunds or credits provided for by this chapter may be applied for by the taxpayer within one year from the date of the overpayment, but no later.

(3) No refund provided for by this section shall be allowed or made in an amount less than one dollar."

**SECTION 3. Time effective.**—This act, upon approval by the Governor, shall be effective with respect to payments made and returns filed after December 31, 1962.

Approved the 24th day of May, 1963.

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(R415, H1543)

**No. 242**

**An Act To Amend Section 1-431 Of The 1962 Code Relating To Insurance On Public Buildings, So As To Delete The Prohibition Against Insuring The State House And To Provide For Payment Of Premium Charged For Insurance On The State House.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1-431, 1962 Code, amended—insurance on buildings supported by State.**—Section 1-431 of the 1962 Code is amended by striking on line four the following: "No insurance shall be carried on the State House." and by adding at the end thereof the following: "The premium charge for insurance on the State House shall be paid from the ordinary fund of the State Sinking Fund." The section when amended shall read as follows:

"Section 1-431. All insurance on public buildings and on the contents thereof of the State and of all institutions supported in whole or in part by the State shall be carried by the State Budget and Control Board. Any building or buildings, and the contents thereof, owned by the State Highway Department may be insured by the State Budget and Control Board, with the consent or approval of such Board, or the State Highway Department shall have the alternative of assuming its own risks. The premium charge for insurance on the State House shall be paid from the ordinary fund of the State Sinking Fund."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R417, S352)

## No. 243

**An Act To Create The Piedmont Area Commission For Technical Education And Training And To Define Its Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act 323 of the Acts of 1961, a program looking to the establishment of adequate technical educational and training facilities in the State was instituted on a basis requiring cooperation between the state agency therein created (the Advisory Committee for Technical Education) and counties or areas within the State, it being specifically required that in order for any county or area to participate in the program, it must make available and operate adequate facilities, and also provide for adequate local supervision and conduct of a program of technical education and training.

**SECTION 2. Piedmont Technical Education and Training District created.**—In order to fulfill the purposes and findings stated in Section 1, there is hereby created the Piedmont Technical Education and Training District, consisting of the Counties of Abbeville, Edgefield, Greenwood, Laurens, McCormick, Newberry and Saluda, which shall be controlled and managed by a commission known as the Piedmont Technical Education Commission (hereinafter called the Commission).

**SECTION 3. Commission — members — terms — officers.**—The Commission shall consist of one member each from the Counties of Abbeville, Edgefield, McCormick, Newberry and Saluda, and two members each from the Counties of Laurens and Greenwood. Each member shall be appointed by the Governor upon recommendation of a majority of the legislative delegation, including the Senator, of his county.

Of those first appointed, two shall have a term of one year, two shall have a term of two years, two shall have a term of three years, and three shall have terms of four years. Upon the expiration of the terms of office of those first appointed, successors shall be appointed for terms of four years in the same manner as provided for the original appointment. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointment was made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. All terms of office shall terminate on the

appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as practicable after the initial appointments are made, the Commission shall meet and organize by electing one of its members as chairman, another as vice chairman, and a third as secretary. A transcript of the record of the initial organization shall be filed with the governing body of each county in order to reflect the initial membership of the Commission and those who shall become its officers.

**SECTION 4. Duties.**—The Commission shall provide for the creation, maintenance and operation of a technical education center to be located within the district, and there shall be developed and carried out at such center a program of adult pre-employment, adult extension, and high school pre-employment training for residents of the district and such other persons as the Commission shall designate, upon such terms as the Commission shall require, all in conjunction and coordination with the State program for technical education.

**SECTION 5. Expenses.**—The cost of construction of the center shall be borne by the participating counties according to a formula to be arrived at and agreed to in writing by the legislative delegations and governing bodies of each respective county and subsequently affirmed by legislative act.

Participation as a member of the Commission at this stage shall not be deemed to obligate any county to participate and share in the cost of construction of the center, and any such county may withdraw from participation, at its discretion and be deleted from inclusion within the district by amendment to this act.

**SECTION 6. Powers.**—The Commission is vested with authority to:

1. Employ personnel;
2. Accept and administer funds or equipment from other governmental agencies, individuals, or corporations;
3. Enter into such contracts as may be necessary to carry out the purposes of the center; and
4. Acquire, own, and sell property, real and personal.

**SECTION 7. Disposition of center.**—The center, including the real property, shall not be disposed of except upon approval of the governing bodies of all participating counties.

**SECTION 8. Audit.**—The Commission shall furnish to the members of the legislative delegations who provide county funds an annual audit of the receipts and expenditures of the center.

**SECTION 9. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R419, H1128)

**No. 244**

**An Act To Amend Section 35-4, Code Of Laws Of South Carolina, 1962, Relating To The Liability Of A Hotel, Inn, Boarding House, Motor Court, Or Motel For Damage Or Loss Of Personal Property Of Its Guests, So As To Further Limit Such Liability.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 35-4, 1962 Code, amended—liability of innkeepers.**—Section 35-4 Code of Laws of South Carolina, 1962, is amended to read as follows:

“Section 35-4. ‘Innkeeper’ as used in this section shall mean the proprietor of any hotel, inn, boarding house, motor court, or motel where beds or lodging are for hire. Whenever an innkeeper shall post and keep posted in a conspicuous manner in the room occupied by any guest a notice requiring such guest to bolt the door of his room, or on leaving his room to lock the door and leave the keys at the office, and also to deposit such money and jewels as are not ordinarily carried upon the person in the office safe, and the guest shall neglect to comply with the requirements of such notice, the innkeeper shall not be liable for the loss of any baggage of such guest which may be lost or stolen from his room or for the loss of any money or jewels not deposited in the safe. *Provided*, however, that notwithstanding the provisions of this act any innkeeper who by his own negligence contributes to the loss or damage to baggage or personal property, other than money or jewelry, from guest rooms, or to the loss or damage to money or jewelry from his safe, may be liable to the guest for the actual value of such baggage or personal property or five hundred dollars, whichever is less, or the actual value of such money or jewelry or two thousand dollars, whichever is less. *Provided*, however, that, notwithstanding the provisions of

this act, any innkeeper who by his own wilfulness contributes to the loss or damage to the personal property of a guest shall not have his liability limited in any manner by the provisions of this act."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R421, H1354)

**No. 245**

**An Act To Amend Section 65-223 Of The 1962 Code, As Amended, Relating To Income Taxes, So As To Provide For The Taxing Of Nonresident Fiduciaries Having An Income Or Transacting Business Within This State.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-223, 1962 Code, amended—tax on fiduciaries.**—Section 65-223 of the 1962 Code, as amended, is further amended by striking the section and inserting in lieu thereof the following :

"Section 65-223. A tax is imposed upon resident fiduciaries, and upon nonresident fiduciaries transacting, conducting, doing business or having an income within the jurisdiction of this State. The terms transacting, conducting, doing business or having an income as used in this section shall include engaging in or the transacting of any activity in this State for the purpose of financial profit or gain. The tax shall be computed at the same rates set forth in Section 65-221 and shall be levied, collected and paid by the fiduciary annually with respect to :

(a) That part of the net income of estates or trusts which has not been distributed ;

(b) That part of the net income derived from real property in this State or tangible personal property having an actual situs in this State which has been distributed or becomes distributable to a nonresident beneficiary ;

(c) The net income received during the income year by deceased individuals who at the time of death were residents and who have died during the tax year or income year without having made a return ; and

(d) The entire net income of resident insolvent or incompetent individuals, whether or not any portion thereof is held for the future use of the beneficiaries, when the fiduciary has complete charge of such net income.

The tax imposed upon a fiduciary by this chapter shall be a charge against the estate or trust."

**SECTION 2. Time effective.**—This act, upon approval by the Governor, shall be effective for taxable years beginning after December 31, 1962.

Approved the 24th day of May, 1963.

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(R422, H1432)

**No. 246**

**An Act To Amend Section 2-224 Of The 1962 Code, As Amended, Relating To The Powers And Duties Of The Anderson County Airport Commission, So As To Grant The Commission Additional Powers.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 2-224, 1962 Code, amended—powers and duties.**—Section 2-224 of the 1962 Code, as last amended by Section 4 of Act 947 of 1962, is further amended by adding at the end thereof the following:

"(g) To borrow money to secure loans by assignments and pledges of income and other personal property and by mortgages of real estate or personal property under the management, control and possession of the commission.

(h) To sell, transfer and convey any property constituting part of the real estate or personalty of the Anderson County Airport Commission.

(i) To agree upon the terms of loans, pledges, assignments, sales, transfers and conveyances.

As a condition precedent to the exercise of any of the powers provided in items (g) (h) (i), each loan, pledge, mortgage, sale, conveyance, assignment and transfer shall have the written approval of a majority of the members of the Anderson County Legislative Delegation, including the Senator, endorsed upon the paper evidencing the exercise of the power."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R424, H1649)

**No. 247**

**An Act To Amend Sections 21-3423 And 21-3424 Of The 1962 Code, Relating To Tax Levies In Lexington County, So As To Increase From Twenty To Twenty-Five Mills The Uniform Tax Levy For School Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 21-3423, 1962 Code, amended—tax levy for schools.**—Section 21-3423 of the 1962 Code is amended by striking the word “twenty” on lines 2 and 11 and inserting in lieu thereof “twenty-five”. The section when amended shall read as follows:

“Section 21-3423. The auditor of Lexington County may levy annually a uniform tax of twenty-five mills on all real and personal property in Lexington County for the purpose of operating the county schools. The receipts from the tax shall be divided among the five districts of the county on a per pupil basis by the county superintendent of education. The division shall be based upon the legal enrollment of Lexington County pupils for the previous year in the schools of the respective districts. Where pupils of adjoining counties are legally enrolled in the schools of Lexington County and where the area in which such students reside levies and pays over to the treasurer of Lexington County a twenty-five-mill levy, then the distribution of the twenty-five-mill levy shall be based upon the legal enrollment of all students attending schools within the districts. Any district which receives money from an adjoining county resulting from a county uniform tax in said adjoining county for children of said adjoining county attending schools in Lexington County shall transmit said funds to the county Superintendent of Education, which funds shall be added to the uniform tax imposed hereunder and distributed as provided for the uniform tax. The children from the adjoining county or counties from which the funds are received shall be included in the legal enrollment of Lexington County pupils for the purposes of distribution of the receipts collected hereunder.”

**SECTION 2. Section 21-3424, 1962 Code, amended—trustees to notify auditor amount of millage required.**—Section 21-3424 of

the 1962 Code is amended by striking the word "twenty" on line 7 and inserting "twenty-five". The section when amended shall read as follows:

"Section 21-3424. The board of trustees of each of the school districts in Lexington County shall on or before the first day of June of each year notify the county auditor in writing the millage required for operation of the schools in their respective districts for the ensuing school year. The notice so directed to the auditor shall be his authority for levying millage in excess of the uniform twenty-five mills upon all of the real and personal property within the school district. The additional levy shall be placed to the credit of the district in which it is levied and expended within that district only."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R425, H1664)

**No. 248**

**An Act To Provide That The Board Of Trustees Of Colleton County School Area No. 1 Shall Include A Trustee Of Ehrhardt School District No. 3.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Trustee of Ehrhardt School District 3 to also be trustee of Colleton County Area 1.**—One member of the Board of School Trustees residing in Ehrhardt School District No. 3 shall be an ex officio member of the Board of School Trustees of Colleton County Area No. 1. The ex officio trustee shall serve in this capacity only during such time as there are students residing in Ehrhardt School District No. 3 in attendance at Bells High School. He shall vote only on matters affecting Bells High School.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R427, H1727)

## No. 249

**An Act To Exempt The Towns Of Williams And Smoaks In Colleton County From The Requirement Of Having A Board Of Commissioners Of Public Works, And To Vest The Powers And Duties Of Such Boards In The Town Councils.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Towns of Williams and Smoaks in Colleton County to abolish commissioners of public works.**—In addition to the cities and towns set out in Section 59-174 of the 1962 Code which shall not have boards of commissioners of public works, the Towns of Williams and Smoaks in Colleton County shall not have such a board and the powers, duties and responsibilities vested in such boards in other cities and towns shall be vested in the Town Councils of the Towns of Williams and Smoaks.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R428, H1736)

## No. 250

**An Act To Exempt Certain Property Of The Charleston Union Of Kings Daughters And Sons In The City Of Charleston From Taxation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Charleston Union of Kings Daughters and Sons exempt from taxes.**—The property of the Charleston Union of Kings Daughters and Sons situated at 71 and 73 Ashley Avenue, and 88 Beaufain Street, in the City of Charleston, is exempt from all county, municipal and school taxes, including such taxes as may be now due on such property.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R429, H1739)

## No. 251

**An Act To Amend Section 14-705 Of The 1962 Code, Relating To The Sale Or Lease Of Abbeville County Property, So As To Further Provide Therefor, And To Validate The Sale Of Certain Property In Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-705, 1962 Code, amended—Abbeville County may sell or lease property.**—Section 14-705 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 14-705. The supervisor and sub-supervisors of Abbeville County may sell or lease any county property with the consent of the county legislative delegation.”

**SECTION 2. Sale of property validated.**—All action of the supervisor and sub-supervisors of Abbeville County, concerning the sale of one and fifty-four one hundredths acres of property of the County Farm to Jamel, Inc. for the sum of seventy-seven dollars by deed dated December 3, 1962, is hereby validated, notwithstanding the fact that Act No. 795 of 1960 inadvertently authorized the county commissioners instead of the supervisor and sub-supervisors of Abbeville County to sell or lease county property.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R430, H1765)

## No. 252

**An Act To Provide For The Terms Of Office Of The Mayor And Councilmen Of The Town Of Coward In Florence County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of mayor and councilmen for Town of Coward.**—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1962, in the Town of Coward, in Florence County, the mayor and councilmen shall be elected every four years, and their terms of office shall be for four years and until their successors are elected and qualify.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R431, H1779)

**No. 253**

**An Act To Amend An Act Of 1963, Bearing Ratification No. 332, Relating To Building Permits In Fairfield County, So As To Exempt Telephone Companies From The Provisions Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Act No. 189 of 1963 amended—Section 5A added—exemptions.**—An act of 1963, bearing Ratification No. 332, is amended by adding a new section, to be Section 5A, as follows:

“Section 5A. The provisions of Section 4 shall not apply to telephone companies.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R432, H1785)

**No. 254**

**An Act To Provide For The Length Of Terms Of Office Of The Mayor And Councilmen In The Town Of Loris In Horry County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of mayor and councilmen for Town of Loris.**—Notwithstanding any provision of law to the contrary, of the members of the Town Council of the Town of Loris in Horry County elected in December 1963, the three receiving the highest number of votes shall serve for terms of four years each, and the three others elected shall serve for terms of two years each. Thereafter, in biennial elections, councilmen shall be elected for terms of four years each. The term of office of the Mayor of the Town of Loris in Horry County shall be two years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R434, S276)

**No. 255**

**An Act To Amend Section 66-408 Of The 1962 Code, Relating To Enforcement Standards For Petroleum Products, So As To Authorize The Commissioner Of Agriculture To Promulgate Rules And Regulations Relative Thereto.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 66-408, 1962 Code, amended—**Commissioner of Agriculture may make rules and regulations concerning petroleum products.—Section 66-408 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 66-408. The Commissioner of Agriculture is authorized to promulgate rules and regulations prescribing standards for petroleum products and methods for testing same.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R435, S389)

**No. 256**

**An Act To Amend Section 14-1604 Of The 1962 Code, Relating To Payments Of Certain Costs In The Court Of Common Pleas And The Civil And Criminal Court For Colleton County, So As To Provide For Certain Advance Payments.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-1604, 1962 Code, amended—**Colleton County—payment of court fees.—Section 14-1604 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following :

“Section 14-1604. A litigant in the court of common pleas or the civil and criminal court for Colleton County shall pay to the clerk of court two dollars and a half for the filing of a summons, and five dollars for the filing of a summons and complaint, which shall be taxed against the losing party. Additional fees may be charged by the clerk for unusual and lengthy records.

No judgment shall be entered by the clerk of court for the county until the costs then accrued have been paid.

When a complaint has been filed, a certificate of the clerk of court that the costs have been paid shall be necessary before any settlement of the case shall be valid.

All costs and fees in actions of foreclosure of mortgages of real estate and in actions for partition of real estate through a sale thereof may be taxed and paid out of the proceeds of sale of the property by the officer making the sale.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R436, S384)

## No. 257

### **An Act To Create The Greenwood County Data Processing Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenwood County Data Processing Commission established.**—There is hereby created the Greenwood County Data Processing Commission to conduct and supervise a data processing program for interested governmental units and agencies within Greenwood County, utilizing for such purpose an IBM computer recently donated to Greenwood County by Greenwood Mills.

The Commission shall be composed of representatives of each of the governmental units participating in the program as follows: one member each from the County of Greenwood, the City of Greenwood, the Commissioners of Public Works of the City of Greenwood, the Greenwood County Electric Power Commission, and other units or agencies of government who may hereafter register

with the Clerk of the Finance Board of Greenwood County their desire to participate in the program of the Commission.

Members of the Commission shall be appointed directly by the governing board or body of each agency for a term of four years dating from the date of enactment of this act and shall serve until their successors have been appointed. The appointment of members shall be registered in writing with the Clerk of the Finance Board of Greenwood County, who shall maintain a record of the membership and officers of the Commission.

The Commission shall elect from its membership a chairman and a secretary-treasurer, each for a term of one year and until his successor is elected and qualifies.

**SECTION 2. Duties.**—The Commission shall formulate, supervise and conduct a data processing program for the service of governmental units and agencies of Greenwood County. For this purpose the Commission shall hire such personnel and incur such expenses as it deems necessary, and shall at regular intervals assess each participating agency for that agency's pro rata share of the total cost of the program, based upon the proportion of the total time of the program devoted to the service of that agency. To the extent possible, the Commission shall estimate for each agency prior to the beginning of that agency's fiscal year the probable cost to the agency for the services of the Commission during the ensuing fiscal year.

**SECTION 3. Contracts with nongovernmental persons.**—The Commission may enter into contracts for the performance of services to nongovernmental persons or firms at agreed rate of compensation.

**SECTION 4. Records and audit.**—The Commission shall keep a full and accurate account of its acts and of its receipts and expenditures. A copy of such account, together with an audit of its financial transactions prepared by a qualified public accountant, shall be furnished annually to the governing body of each government unit participating in the program of the Commission.

**SECTION 5. Commission may own property and secure loans.**—The Commission is authorized and empowered to own and lease property and equipment and to secure loans and execute appropriate notes therefor for terms of obligation not exceeding one year; *provided*, however, that no lease, note or other obligation extending for a term exceeding one year shall be binding on a participating governmental unit without its written consent thereto.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R437, H1154)

**No. 258**

**An Act To Amend Section 65-2321 Of The 1962 Code, Relating To The Delinquent Tax Collector Of Colleton County, So As To Reduce The Term Of Office.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-2321, 1962 Code, amended—office of delinquent tax collector for Colleton County established.**—Section 65-2321 of the 1962 Code is amended by striking the words “four years” on line eight and inserting in lieu thereof the words “one year” so that, when so amended, it shall read as follows :

“Section 65-2321. The office of delinquent tax collector of Colleton County is established. The delinquent tax collector shall be appointed by the Governor upon the recommendation of a majority of the treasurer, auditor, supervisor, superintendent of education and county legislative delegation, including the Senator, of Colleton County and shall be commissioned as other county officers are commissioned. The term of office of the delinquent tax collector shall be for one year from the date of his appointment and until his successor is appointed and qualified. The delinquent tax collector may be removed from office for cause by the Governor. All vacancies shall be filled in the manner provided in this section for appointments for a full term.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R438, H1356)

**No. 259**

**An Act To Amend Section 65-1436 Of The 1962 Code, Relating To The Sales And Use Tax, So As To Impose Such Tax On The**

**Proceeds Of Rental Or Lease Of Tangible Personal Property By  
The Manufacturer Thereof In Lieu Of A Tax On The Fair Market  
Value Of Such Property.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-1436, 1962 Code, amended—application of sales and use tax.**—Section 65-1436 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following: "Section 65-1436. Notwithstanding any other provision of law, the license and the sales or use tax imposed by this chapter is imposed upon the fair market value of tangible personal property manufactured within this State or imported therein by the manufacturer thereof for storage, use or consumption within this State by such manufacturer. Where tangible personal property is manufactured within this State or imported therein by the manufacturer thereof and is rented or leased by the manufacturer, then the license and the sales and the use tax imposed by this chapter is imposed upon the gross proceeds or gross receipts from such rental or lease. Where the manufacturer leasing or renting property has paid the tax based upon the fair market value of the property rented or leased, prior to the approval of this act, no tax shall be imposed upon the proceeds of the lease or rental of such property. The provisions of this act shall not apply to property remaining in this State for less than ten days."

**SECTION 2. Time effective.**—This act, upon approval by the Governor, shall be effective July 1, 1963.

Approved the 3rd day of June, 1963.

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(R440, H1674)

No. 260

**An Act To Amend Section 28-610 Of The 1962 Code, Relating  
To The Use Of Certain Traps, Baskets Or Seines By Hand In  
Game Zones No. 1, No. 2 And No. 4, So As To Include Game Zone  
No. 3.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 28-610, 1962 Code, amended—use of traps, baskets and seines to catch nongame fish in Game Zones 1, 2, 3**

**and 4.**—Section 28-610 of the 1962 Code is amended by striking on lines 1 and 2 the following: "Game Zone No. 1, Game Zone No. 2 and Game Zone No. 4" and inserting in lieu thereof "Game Zones No. 1, No. 2, No. 3 and No. 4". The section when amended shall read as follows:

"Section 28-610. In Game Zones No. 1, No. 2, No. 3 and No. 4 it shall be lawful to use by hand traps, baskets and seines to catch nongame fish at any time if the use of any such device in the particular circumstance does not completely block the passage of fish in the stream or waters. All such devices shall be cylindrical in shape and shall have no wings or other permanent structures either installed on them or used in any way in conjunction with such devices."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R441, H1691)

**No. 261**

**An Act To Provide For The Compensation Of Appointed Members Of The Board Of Review For Tax Assessments For Darlington County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Compensation of appointed members of Board of Review for Tax Assessments for Darlington County.**—The appointed members of the Board of Review for Tax Assessments for Darlington County shall receive as compensation for their services on the board a monthly salary of fifty dollars which shall be paid from the general fund of the county.

**SECTION 2. Time effective.**—This act shall take effect July 1, 1963.

Approved the 3rd day of June, 1963.

(R442, H1715)

## No. 262

**An Act To Amend Section 5-103 Of The 1962 Code, Relating To Sunday Moving Pictures, Athletic Sports And Concerts, So As To Permit Such Activities In Certain Counties.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** Subsection (1) (a) of Section 5-103, 1962 Code, amended—moving pictures, athletic sports and musical concerts lawful on Sundays in certain counties and municipalities.—Subsection (1) (a) of Section 5-103 of the 1962 Code is amended by striking “sixty-two” on line 2 and inserting “forty-two” so that, when so amended, the section shall read:

“Section 5-103. (1) Subject to the conditions of subsections (2) and (3) and if lawful on other days of the week, it is lawful to exhibit publicly, or to engage in, moving pictures, athletic sports and musical concerts on Sundays after two o’clock, P.M., in the following counties, towns or cities:

(a) counties in which there is a city with a population of more than forty-two thousand according to the latest official United States census,

(b) incorporated seashore resorts,

(c) cities with a population from six thousand two hundred and twenty-five to six thousand two hundred and fifty according to the official United States census for 1940 and

(d) cities with a population from sixteen thousand to sixteen thousand one hundred according to the official United States census for 1940.

(2) No moving picture, athletic sport or musical concert shall be publicly exhibited or engaged in between the hours of seven o’clock P.M., and nine o’clock, P.M., on Sundays.

(3) Before public exhibition of a moving picture, athletic sport or musical concert on Sunday in any county, town or city in which such exhibition is authorized by subsection (1), a special permit shall first be obtained from the town or city council, if the exhibition is in an incorporated town or city, or from the county board of commissioners or other governing body of the county if the exhibition is outside of an incorporated town or city.

(4) Any person who publicly exhibits moving pictures, athletic sports or musical concerts on Sunday in any county, town or city in which such exhibition is authorized by subsection (1) without

first obtaining the special permit required by subsection (3), or any person who publicly exhibits motion pictures, athletic sports or musical concerts on Sunday in any county, town or city in which such exhibition is authorized by subsection (1) during any hour not authorized by this section, is guilty of a misdemeanor. Any person convicted of a violation of this subsection shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R444, H1746)

**No. 263**

**An Act To Amend Sections 59-635.1 And 59-635.2 Of The 1962 Code, Relating To Water And Sewer Districts In Greenville County, So As To Extend The Election Filing Date For The Commissioners And To Further Provide For Vacancies In The Office Of Commissioner.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 59-635.1, 1962 Code, amended—election and terms of commissioners.**—Section 59-635.1 of the 1962 Code is amended by striking on line 8 the word "three" and inserting in lieu thereof the word "four" and by striking on line 11 the words "one week" and by inserting in lieu thereof the words "two weeks" so that when so amended the section shall read as follows:

"Section 59-635.1. Upon the expiration of the term of any commissioner of any of the various water and sewer districts or subdistricts in Greenville County, there shall be held an election within the district or subdistrict for the purpose of filling such vacancy, which election shall be conducted by the Greenville County board of election commissioners on such date as they may determine after giving public notice by newspaper advertisement of not less than four weeks. Such election shall be conducted under the laws regulating general elections and the voting therein shall be limited to qualified electors of the district. Entries for such position shall be filed with the election commissioners two weeks before the date fixed for the

election. The term of each commissioner elected shall be for a period of six years, but if two or more vacancies are to be filled at the same election, then one commissioner shall serve a term of two years, one a term of four years, and one a term of six years. After their election the commissioners shall meet and determine by lot the term to be served by each. *Provided*, that the foregoing shall not apply to any water and sewer district or subdistrict wherein commissioners are on April 24, 1958 elected as prescribed by law."

**SECTION 2. Section 59-635.2, 1962 Code, amended—vacancies.**—Section 59-635.2 of the 1962 Code is amended by striking on line 2 the words "in the office of water and sewer district commissioner" so that when so amended the section shall read as follows:

"Section 59-635.2. In the event of a vacancy, where the remainder of the term to be filled is less than one year, then such vacancy shall be filled by appointment made by the Governor upon the recommendation of the majority of the legislative delegation of Greenville County, including the Senator."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R445, H1747)

**No. 264**

**An Act To Amend The 1962 Code By Adding New Sections 65-2009.3 And 65-2807.1 So As To Provide Penalties On Delinquent Taxes And Increase The Fees On Executions For Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Code of 1962 amended—Section 65-2009.3 added—Greenville County—penalties on delinquent taxes.**—The 1962 Code is amended by adding new Section 65-2009.3 to read as follows:

"Section 65-2009.3. In Greenville County the percentage penalty added to delinquent taxes shall be as follows: When such taxes shall not be paid on or before the thirty-first day of December, the penalty added shall be seven per cent thereon. If they are not paid on or before the first day of March next thereafter an additional penalty of one per cent thereon shall be added. If they are not paid on or before the

first day of April next thereafter an additional penalty of four per cent thereon shall be added and if they are not paid on or before the fifteenth day of April the county treasurer shall issue his tax execution for such taxes, assessments and penalties against the property of the defaulting taxpayer according to law."

**SECTION 2. Code of 1962 amended—Section 65-2807.1 added—Greenville County—fees for executions.**—The 1962 Code is amended by adding new Section 65-2807.1 to read as follows:

"Section 65-2807.1. Notwithstanding the provisions of Section 65-2803, the Treasurer of Greenville County for every such warrant issued shall have from the defaulter two dollars and for all sums levied seven per cent. The sheriff is prohibited from demanding or collecting any greater sum therefor than is allowed by this section and neither the sheriff nor the county treasurer shall receive fees upon nulla bona returns."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R446, H1750)

**No. 265**

**An Act To Repeal Sections 33-1111 And 33-1112, Relating To The Assessment Of A Commutation Or Road Tax In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Sections 33-1111 and 33-1112, 1962 Code, repealed.**—Sections 33-1111 and 33-1112 of the 1962 Code are hereby repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R447, H1764)

**No. 266****An Act Providing For The Open Season For The Hunting Of Squirrels In Allendale County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Squirrel season for Allendale County.**—In Allendale County the open season for the hunting of squirrels shall be from September first to February fifteenth, but squirrels may only be hunted without dogs between September first and Thanksgiving Day.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R450, H1781)

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**No. 267****An Act To Authorize The Town Council Of The Town Of Liberty In Pickens County To Levy An Annual Tax Of Sixty Mills.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Town of Liberty may levy annual tax.**—The Town Council of the Town of Liberty in Pickens County is authorized to levy an annual tax of sixty mills.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R451, H1782)

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**No. 268****An Act To Authorize The City Council Of The City Of Pickens In Pickens County To Levy An Annual Tax Of Ninety Mills.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. City of Pickens may levy annual tax.**—The City Council of the City of Pickens in Pickens County is authorized to levy an annual tax of ninety mills.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R454, H1490)

**No. 269**

**An Act To Define And To Provide For The Administration Of The Principal And Income Of Property Held In A Fiduciary Capacity.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Definitions.**—As used in this act :

(1) “income beneficiary” means the person to whom income is presently payable or for whom it is accumulated for distribution as income ;

(2) “inventory value” means the cost of property purchased by the trustee and the market value of other property at the time it was made subject to the trust, but in the case of a testamentary trust the trustee may use any value finally determined for the purposes of an estate or inheritance tax ;

(3) “remainderman” means the person entitled to principal, including income which has been accumulated and added to principal ; and

(4) “trustee” means an original trustee and any succeeding or added trustee.

**SECTION 2. Duties of trustees as to receipts and expenditures.**—(a) A trust shall be administered with due regard to the respective interests of income beneficiaries and remaindermen. A trust is so administered with respect to the allocation of receipts and expenditures if a receipt is credited or an expenditure is charged to income or principal or partly to each :

(1) in accordance with the terms of the trust instrument, notwithstanding contrary provisions of this act ;

(2) in the absence of any contrary terms of the trust instrument, in accordance with the provisions of this act ; or

(3) if neither of the preceding rules of administration is applicable, in accordance with what is reasonable and equitable in view of the

interests of those entitled to income as well as of those entitled to principal, and in view of the manner in which men of ordinary prudence, discretion and judgment would act in the management of their own affairs.

(b) If the trust instrument gives the trustee discretion in crediting a receipt or charging an expenditure to income or principal or partly to each, no inference of imprudence or partiality arises from the fact that the trustee has made an allocation contrary to the provisions of this act.

**SECTION 3. Income and principal defined—charges to.**—(a) Income is the return in money or property derived from the use of principal, including return received as

(1) rent of real or personal property, including sums received for cancellation or renewal of a lease;

(2) interest on money lent, including sums received as consideration for the privilege of prepayment of principal except as provided in Section 7 on bond premium and bond discount;

(3) income earned during administration of a decedent's estate as provided in Section 5;

(4) corporate distributions as provided in Section 6;

(5) accrued increment on bonds or other obligations issued at discount as provided in Section 7;

(6) receipts from principal used in business and farming as provided in Section 8;

(7) receipts from disposition of natural resources as provided in Sections 9 and 10;

(8) receipts from other principal subject to depletion as provided in Section 11; or

(9) receipts from disposition of underproductive property as provided in Section 12.

(b) Principal is the property which has been set aside by the owner or the person legally empowered so that it is held in trust eventually to be delivered to a remainderman while the return or use of the principal is in the meantime taken or received by or held for accumulation for an income beneficiary. Principal includes

(1) consideration received by the trustee on the sale or other transfer of principal or on repayment of a loan or as a refund or replacement or change in the form of principal;

- (2) proceeds of property taken on eminent domain proceedings;
- (3) proceeds of insurance upon property forming part of the principal except proceeds of insurance upon a separate interest of an income beneficiary;
- (4) stock dividends, receipts on liquidation of a corporation, and other corporate distributions as provided in Section 6;
- (5) receipts from the disposition of corporate securities as provided in Section 7;
- (6) royalties and other receipts from disposition of natural resources as provided in Sections 9 and 10;
- (7) receipts from other principal subject to depletion as provided in Section 11;
- (8) any profit resulting from any change in the form of principal except as provided in Section 12 on underproductive property;
- (9) receipts from disposition of underproductive property as provided in Section 12; or
- (10) any allowances for depreciation established under Sections 8 and 13(a) (2).

(c) After determining income and principal in accordance with the terms of the trust instrument or of this act, the trustee shall charge to income or principal expenses and other charges as provided in Section 13.

**SECTION 4. When right to income arises—apportionment of income.**—(a) An income beneficiary is entitled to income from the date specified in the trust instrument, or, if none is specified, from the date an asset becomes subject to the trust. In the case of an asset becoming subject to a trust by reason of a will, it becomes subject to the trust as of the date of the death of the testator even though there is an intervening period of administration of the testator's estate.

(b) In the administration of a decedent's estate or a testamentary trust or in the case of an asset received under a will by a trustee

(1) receipts due but not paid at the date of death of the testator are principal;

(2) receipts in the form of periodic payments (other than corporate distributions to stockholders), such as rent, interest, or annuities, not due at the date of the death of the testator shall be treated as accruing from day to day. That portion of such a receipt accruing before the date of death is principal and the balance is income.

(c) In all other cases, any receipt from an income producing asset is income even though the receipt was earned or accrued in whole or in part before the date when the asset became subject to the trust.

(d) On termination of an income interest, the income beneficiary whose interest is terminated, or his estate, is entitled to

(1) income undistributed on the date of termination;

(2) income due but not paid to the trustee on the date of termination; or

(3) income in the form of periodic payments (other than corporate distributions to stockholders), such as rent, interest, or annuities, not due on the date of termination, accrued from day to day.

(e) Corporate distributions to stockholders shall be treated as due on the day fixed by the corporation for determination of stockholders of record entitled to distribution or, if no date is fixed, on the date of declaration of the distribution by the corporation.

**SECTION 5. Expenses to be charged against principal—income earned during administration of estate.**—(a) Unless the will otherwise provides and subject to subsection (b), all expenses incurred in connection with the settlement of a decedent's estate, including debts, funeral expenses, estate taxes, interest and penalties concerning taxes, family allowances, fees of attorneys and personal representatives, and court costs shall be charged against the principal of the estate.

(b) Unless the will otherwise provides, income from the assets of a decedent's estate after the death of the testator and before distribution, including income from property used to discharge liabilities, shall be determined in accordance with the rules applicable to a trustee under this act and distributed as follows:

(1) to specific legatees and devisees, the income from the property bequeathed or devised to them respectively, less taxes, ordinary repairs, and other expenses of management and operation of the property, and an appropriate portion of interest accrued since the death of the testator and of taxes imposed on income (excluding taxes on capital gains) which accrue during the period of administration;

(2) to all other legatees and devisees, except legatees of pecuniary bequests not in trust, the balance of the income, less the balance of taxes, ordinary repairs, and other expenses of management and operation of all property from which the estate is entitled to income, interest accrued since the death of the testator, and taxes imposed on income (excluding taxes on capital gains) which accrue during the period of

administration, in proportion to their respective interests in the undistributed assets of the estate computed at times of distribution on the basis of inventory value.

(c) Income received by a trustee under subsection (b) shall be treated as income of the trust.

**SECTION 6. Corporate distributions.**—(a) Corporate distributions of shares of the distributing corporation, including distributions in the form of a stock split or stock dividend, are principal. A right to subscribe to shares or other securities issued by the distributing corporation accruing to stockholders on account of their stock ownership and the proceeds of any sale of the right are principal.

(b) Except to the extent that the corporation indicates that some part of a corporate distribution is a settlement of preferred or guaranteed dividends accrued since the trustee became a stockholder or is in lieu of an ordinary cash dividend, a corporate distribution is principal if the distribution is pursuant to

(1) a call of shares;

(2) a merger, consolidation, reorganization, or other plan by which assets of the corporation are acquired by another corporation; or

(3) a total or partial liquidation of the corporation. For the purposes of this section, a distribution is pursuant to a liquidation if the corporation so indicates, or if the corporation is making a distribution of assets, other than cash, pursuant to a court decree or final administrative order by a government agency ordering distribution of the particular assets.

(c) Distributions made from ordinary income by a regulated investment company or by a trust qualifying and electing to be taxed as a real estate investment trust under federal law are income. All other distributions made by such a company or trust, including distributions from capital gains, depreciation, or depletion, whether in the form of cash or an option to take new stock or cash or an option to purchase additional shares, are principal.

(d) Except as provided in subsections (a), (b), and (c), all corporate distributions are income, including cash dividends, distributions of or rights to subscribe to shares or securities or obligations of corporations other than the distributing corporation, and the proceeds of such rights or property distributions. Except as provided in subsections (b) and (c), if the distributing corporation gives a stockholder an option to receive a distribution either in cash or in its own shares, the distribution chosen is income.

(e) The trustee may rely upon any statement of the distributing corporation as to any fact relevant under any provision of this act concerning the source or character of dividends or distributions of corporate assets.

**SECTION 7. Bond premiums and discount.**—(a) Bonds or other obligations for the payment of money are principal at their inventory value, except as provided in subsection (b) for discount bonds. No provision shall be made for amortization of bond premiums or for accumulation for discount. The proceeds of sale, redemption, or other disposition of the bonds or obligations are principal.

(b) The increment in value of a bond or other obligation for the payment of money payable at a future time in accordance with a fixed schedule of appreciation in excess of the price at which it was issued is distributable as income. The increment in value is distributable to the beneficiary who was the income beneficiary at the time of increment from the first principal cash available or, if none is available, when realized by sale, redemption, or other disposition. Whenever unrealized increment is distributed as income but out of principal, the principal shall be reimbursed for the increment when realized.

**SECTION 8. Business and farming operations.**—(a) If a trustee uses any part of the principal in the continuance of a business of which the settlor was a sole proprietor or a partner, the net profits of the business, computed in accordance with generally accepted accounting principles for a comparable business, are income. If a loss results in any fiscal or calendar year, the loss falls on principal and shall not be carried into any other fiscal or calendar year for purposes of calculating net income.

(b) Generally accepted accounting principles shall be used to determine income from an agricultural or farming operation, including the raising of animals or the operation of a nursery.

**SECTION 9. Disposition of natural resources.**—(a) If any part of the principal consists of a right to receive royalties, overriding or limited royalties, working interests, production payments, net profit interests, or other interests in minerals or other natural resources in, on or under land, the receipts from taking the natural resources from the land shall be allocated as follows:

(1) If received as rent on a lease or extension payments on a lease, the receipts are income.

(2) If received from a production payment, the receipts are income to the extent of any factor for interest or its equivalent provided in the governing instrument. There shall be allocated to principal the fraction of the balance of the receipts which the unrecovered cost of the production payment bears to the balance owed on the production payment, exclusive of any factor for interest or its equivalent. The receipts not allocated to principal are income.

(3) If received as a royalty, overriding or limited royalty, or as a bonus, or from a working interest or net profit interest, or from any other interest in minerals or other natural resources, receipts not provided for in the preceding paragraphs of this section shall be apportioned on a yearly basis in accordance with this paragraph whether or not any natural resource was being taken from the land at the time the trust was established. Twenty-seven and one-half per cent of the gross receipts (but not to exceed fifty per cent of the net receipts remaining after payment of all expenses, direct and indirect, computed without allowance for depletion) shall be added to principal as an allowance for depletion. The balance of the gross receipts, after payment therefrom of all expenses, direct and indirect, is income.

(b) If a trustee, on the effective date of this act, held an item of depletable property of a type specified in this section, he shall allocate receipts from the property in the manner used before the effective date of this act, but as to all depletable property acquired after the effective date of this act by an existing or new trust, the method of allocation provided herein shall be used.

(c) This section does not apply to timber, water, soil, sod, dirt, turf, or mosses.

**SECTION 10. Sale of timber.**—If any part of the principal consists of land from which merchantable timber may be removed, the receipts from taking the timber from the land shall be allocated in accordance with Section 2 (a) (3).

**SECTION 11. Property subject to depletion.**—Except as provided in Sections 9 and 10, if the principal consists of property subject to depletion, including leaseholds, patents, copyrights, royalty rights, and rights to receive payments on a contract for deferred compensation, the receipts from the property not in excess of five per cent per year of its inventory value are income and the balance is principal.

**SECTION 12. Underproductive property.**—(a) Except as otherwise provided in this section, a portion of the net proceeds of sale

of any part of principal which has not produced an average net income of at least one per cent per year of its inventory value for more than a year (including as income the value of any beneficial use of the property by the income beneficiary) shall be treated as delayed income to which the income beneficiary is entitled as provided in this section. The net proceeds of sale are the gross proceeds received, including the value of any property received in substitution for the property disposed of, less the expenses, including capital gains tax, if any, incurred in disposition and less any carrying charges which have been paid while the property was underproductive.

(b) The sum allocated as delayed income is the difference between the net proceeds and the amount which, had it been invested at simple interest at four per cent per year while the property was underproductive, would have produced the net proceeds. This sum plus any carrying charges and expenses previously charged against income while the property was underproductive, less any income received by the income beneficiary from the property and less the value of any beneficial use of the property by the income beneficiary, is income, and the balance is principal.

(c) An income beneficiary or his estate is entitled to delayed income under this section as if it accrued from day to day during the time he was a beneficiary.

(d) If principal subject to this section is disposed of by conversion into property which cannot be apportioned easily, including land or mortgages (for example, realty acquired by or in lieu of foreclosure), the income beneficiary is entitled to the net income from any form of property or obligation into which the original principal was converted while the property or obligation is held. If within five years after the conversion the property into which the underproductive property is converted has not been further converted into easily apportionable property, no allocation as provided in this section shall be made.

**SECTION 13. Charges against income and principal.**—(a) The following charges shall be made against income:

(1) Ordinary expenses incurred in connection with the administration, management, and preservation of the trust property, including regularly recurring taxes assessed against any portion of the principal, water rates, premiums on insurance taken upon the interests of the income beneficiary, remainderman or trustee, interest paid by the trustee, and ordinary repairs;

(2) A reasonable allowance for depreciation on property subject to depreciation under generally accepted accounting principles, but no allowance shall be made for depreciation of that portion of any real property used by a beneficiary as a residence or for depreciation of any property held by the trustee on the effective date of this act for which the trustee was not then making an allowance for depreciation;

(3) One-half of court costs, attorney's fees, and other fees on periodic judicial accounting, unless the court directs otherwise;

(4) Court costs, attorney's fees, and other fees on other accountings or judicial proceedings if the matter primarily concerns the income interest, unless the court directs otherwise;

(5) One-half of the trustee's regular compensation, whether based on a percentage of principal or income, and all expenses reasonably incurred for current management of principal and application of income;

(6) Any tax levied upon receipts defined as income under this act or the trust instrument and payable by the trustee.

(b) If charges against income are of unusual amount, the trustee may by means of reserves or other reasonable means charge them over a reasonable period of time and withhold from distribution sufficient sums to regularize distributions.

(c) The following charges shall be made against principal:

(1) Trustee's compensation not chargeable to income under subsections (a) (4) and (a) (5), including special compensation of trustees and expenses reasonably incurred in connection with the principal, court costs and attorney's fees concerning matters of principal, and trustee's compensation computed on principal as an acceptance, distribution, or termination fee;

(2) Charges not provided for in subsection (a), including the cost of investing and reinvesting principal, the payments on principal of an indebtedness (including a mortgage amortized by periodic payments of principal), expenses for preparation of property for rental or sale, and, unless the court directs otherwise, expenses incurred in maintaining or defending any action to protect or construe the trust or the property or assure the title of any trust property;

(3) Extraordinary repairs or expenses incurred in making a capital improvement to principal, including special assessments, but, to the extent permitted by subsection (a) (2) and by Section 8 a trustee may establish an allowance for depreciation out of income;

(4) Any tax levied upon profit, gain, or other receipts allocated to principal notwithstanding denomination of the tax as an income tax by the taxing authority;

(5) If an estate or inheritance tax is levied in respect of a trust in which both an income beneficiary and a remainderman have an interest, any amount apportioned to the trust, including interest and penalties, even though the income beneficiary also has rights in the principal.

(d) Regularly recurring charges payable from income shall be apportioned to the same extent and in the same manner that income is apportioned under Section 4.

**SECTION 14. Application of act.**—Except as specifically provided in the trust instrument or the will or in this act, this act shall apply to any receipt or expense received or incurred after the effective date of this act by any trust or decedent's estate whether established before or after the effective date of this act and whether the asset involved was acquired by the trustee before or after the effective date of this act.

**SECTION 15. Act to be uniform.**—This act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**SECTION 16. Citation of act.**—This act may be cited as the Revised Uniform Principal and Income Act.

**SECTION 17. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R456, H1619)

No. 270

**An Act To Amend Section 23-166 Of The 1962 Code, Relating To Voting Precincts In Chesterfield County, So As To Define The Area Of Cheraw No. 1 Precinct And Add Cheraw No. 2 And Cheraw No. 3 Precincts And Define Their Areas.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 23-166, 1962 Code, amended—Chesterfield County voting precincts designated.**—Section 23-166 of the 1962

Code is amended by adding on line 4 between the figure “1” and the semicolon the following: “shall include all voters residing north of the middle of Kershaw Street and east of the Atlantic Coast Line Railway and bounded on the east and the north by the city limits; Cheraw No. 2 shall include all voters residing west and southwest of the Atlantic Coast Line Railway and extending to the boundary of the city limits; Cheraw No. 3 shall include all voters residing southeast of the middle of Kershaw Street and bounded on the west, east and south by the Atlantic Coast Line Railway”. The section when amended shall read as follows:

“Section 23-166. In Chesterfield County there shall be the following voting precincts: Angelus; Bay Springs; Black Creek; Brocks Mill; Cash; Catarrh; Cat Pond; Center Grove; Center Point; Cheraw No. 1 shall include all voters residing north of the middle of Kershaw Street and east of the Atlantic Coast Line Railway and bounded on the east and the north by the city limits; Cheraw No. 2 shall include all voters residing west and southwest of the Atlantic Coast Line Railway and extending to the boundary of the city limits; Cheraw No. 3 shall include all voters residing southeast of the middle of Kershaw Street and bounded on the west, east and south by the Atlantic Coast Line Railway; Court House; Cross Roads; Dudley; Grants Mills; Jefferson; Mangum; Middendorf; Mt. Croghan; McBee; Ousleydale; Pageland; Patrick; Pee Dee; Ruby; Shiloh; Snow Hill; Vaughn; Wexford; White Oak; and Winzo.”

**SECTION 2. Time effective.**—This act shall take effect March 1, 1964.

Approved the 3rd day of June, 1963.

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(R457, H1680)

### No. 271

**An Act To Provide The Procedure For The Issuance Of A New Certificate Or Account Book When The Certificate Or Account Book Evidencing A Savings Account Of Any State Chartered Savings And Loan Association Or Building And Loan Association Has Been Lost Or Destroyed.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Issuance of duplicate certificates or account books by savings and loan associations.**—A savings and loan association

or a building and loan association chartered by this State may, in the event of loss or destruction of a certificate or account book evidencing a savings account with such an association, provide for the issuance of a new certificate or account book as permitted by this act. The holder of record of a certificate or account book which has been lost or destroyed, or the legal representative of such a holder of record, shall file with the association an affidavit to the effect that the certificate or account book evidencing his savings account with the association has been lost or destroyed, and that such certificate or account book has not been pledged or assigned in whole or in part, together with an application for issuance of a new certificate or account book. Upon the filing of such affidavit and application, the association may issue a new certificate or account book evidencing the savings account in the name of the holder of record. The board of directors of the association may, whenever in its judgment it deems it to be necessary, require that notice of the filing of the affidavit and application for a new certificate or account book be published.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R458, H1748)

**No. 272**

**An Act To Amend Section 14-2061 Of The 1962 Code, Relating To The County Board Of Commissioners In Greenville County, So As To Provide That The Commissioners May Not Succeed Themselves.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-2061, 1962 Code, amended—Greenville County Board of Commissioners—appointments—terms—vacancies—not to succeed themselves.**—Section 14-2061 of the 1962 Code is amended by adding a new paragraph at the end thereof to read as follows: "No member of the board of commissioners shall be eligible to succeed himself." The section when amended shall read as follows:

"Section 14-2061. The county board of commissioners of the county shall be composed of five members, who shall be appointed

by the Governor upon the recommendation of the county legislative delegation to serve for terms of five years. Those first appointed after May 23, 1961, shall serve one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Any vacancy in the membership of the board shall be filled in the manner of the original appointment.

The Governor shall issue commissions to those persons appointed members of the board of commissioners.

No member of the board of commissioners shall be eligible to succeed himself."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R459, H1792)

**No. 273**

**An Act To Further Provide For The Licensing Agent Of Certain Mobile Dwellings Provided For In Act No. 881 Of 1962 In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Approval of agent—fee.**—In Richland County the designation of the agent provided for in Section 1 of Act No. 881 of 1962 shall be subject to the approval of the legislative delegation, including the Senator. Such agent shall receive one-half of the license fee provided for in such act as additional compensation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R461, H1110)

**No. 274**

**An Act To Amend Section 23-554 Of The 1962 Code Dividing The State In Congressional Districts, So As To Change Union County From The Fourth District To The Fifth District.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (4), Section 23-554, 1962 Code, amended—Union County deleted.**—Item (4) of Section 23-554 of the 1962 Code is amended by striking the comma after the word “Laurens” and inserting the word “and” and by striking the words “and Union”. The item when amended shall read as follows:

“(4) Fourth District to be composed of the following counties, to wit: Greenville, Laurens and Spartanburg;”.

**SECTION 2. Item (5), Section 23-554, 1962 Code, amended—Union County added.**—Item (5) of Section 23-554 of the 1962 Code is amended by adding after the word “Lancaster” the following: “, Union”. The item when amended shall read as follows:

“(5) Fifth District to be composed of the following counties, to wit: Cherokee, Chester, Chesterfield, Fairfield, Kershaw, Lancaster, Union and York; and”.

**SECTION 3. Certain persons to continue in office.**—Any person holding an appointed office from Union County concerning the congressional district shall hold office until the expiration of his present term.

**SECTION 4. Time effective.**—This act shall take effect July 1, 1963, after approval by the Governor.

Approved the 3rd day of June, 1963.

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(R463, H1704)

No. 275

**An Act To Amend Article 2, Chapter 6, Of Title 66 Of The 1962 Code, Relating To Liquefied Petroleum Gas, So As To: Further Provide For The Membership Of The Governing Board; Prescribe Their Terms, Powers And Duties; Further Provide For The Licensing Of Dealers; Increase The Amount Of Insurance Required And Make Certain Exceptions Thereto; Provide For Inspection Of Premises And Equipment; Provide For Reports Concerning Electrical Grounds, Fires And Explosions; Require Pilots In Certain Instances; And Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Article 2, Chapter 6, Title 66, 1962 Code, amended—liquefied petroleum gas.**—Article 2, Chapter 6, of Title 66 of the

1962 Code, is amended by striking it and inserting in lieu thereof the following:

"Section 66-431. (a) The term 'liquefied petroleum gas' as used in this article shall mean and include any material which is composed predominately of any of the following hydrocarbons or mixtures thereof: propane, propylene, butanes (normal butane or isobutane) and butylenes.

(b) The term 'containers' includes all vessels such as tanks, cylinders or drums used for transportation or storage of liquefied petroleum gases.

(c) The term 'systems' refers to an assembly of equipment consisting essentially of the container and any device which is connected thereto for the utilization of liquefied petroleum gas.

Section 66-431.1. There is hereby created the Liquefied Petroleum Gas Board which shall be composed of three members. One member shall be the Chief Insurance Commissioner, ex officio, who shall serve as chairman. One member shall be a member, in good standing, of the State Firemen's Association who shall be appointed by the president of the State Firemen's Association for a term of four years; and the other member shall be a licensed liquefied petroleum gas dealer who shall be appointed by the president of the Liquefied Petroleum Gas Association for a term of two years. The term of office shall thereafter be for four years. Any vacancy in the office of a member of the board, representing either the State Firemen's Association or the Liquefied Petroleum Gas Association, shall be filled by appointment by the president of the respective association for the unexpired term.

Section 66-431.2. The board shall:

(a) See that all laws of this State governing liquefied petroleum gas are faithfully executed, and to that end they may make rules and regulations, not inconsistent with law, to enforce, carry out and make effective the provisions of this chapter, the enforcement or administration of which is not otherwise specifically provided for, and may likewise from time to time withdraw, modify or amend any such regulation.

(b) Institute proceedings for and prosecute criminal violations of any laws relevant to liquefied petroleum gas.

(c) Make, promulgate and enforce regulations setting forth minimum general standards covering the design, construction, location, installation and operation of equipment for storing, handling, trans-

porting by tank truck or tank trailer and utilizing liquefied petroleum gases and specifying the odorization of such gases and the degree thereof. The regulations shall be such as are reasonably necessary for the protection of the health, welfare and safety of the public and persons using such materials, and shall be in substantial conformity with the generally accepted standards of safety concerning the subject matter, and such regulations shall contain standards that are not less than those published in National Board of Fire Underwriters Pamphlet No. 58, 1961 Edition.

Section 66-431.3. All persons engaging in the manufacture, distribution, sale, storing or transporting by tank truck, tank trailer or cylinder of liquefied petroleum gases, or engaged in the installation, servicing, repairing, adjusting or connecting of appliances to liquefied petroleum gas systems shall make application to the board to obtain a license to do business in the State. The board may revoke or suspend any such license when it is found that any person engaging in this business has violated the provisions of this article.

Section 66-431.4. The license fee for the license required by Section 66-431.3 shall be one hundred dollars annually for each dealer, and in addition thereto each branch or sub-dealer shall pay a license fee of twenty-five dollars.

Section 66-431.5. (a) Every dealer, sub-dealer or branch dealer engaging in any of the activities referred to in Section 66-431.3 shall, as a prerequisite to obtaining a license, obtain insurance which shall cover motor vehicle liability, employers' liability or workmen's compensation, as applicable, manufacturer's or contractor's liability, including products liability insurance, and any other exposures which, in the opinion of the board, are necessary in the public interest; and such liability insurance, except for workmen's compensation coverage acquired by the licensee, and except for employers' liability coverage, shall be in such amounts as the board may prescribe, but not less than twenty-five thousand dollars for bodily injury to or death of any one person in any one accident, and subject to such limit for a single person, nor less than fifty thousand dollars for bodily injury to or death of two or more persons as the result of any one accident, and not less than twenty-five thousand dollars for damage to the property of others. Employers' liability insurance certified hereunder shall not afford benefits that are less than benefits that would be

available through workmen's compensation insurance if the employer were covered under The South Carolina Workmen's Compensation Law.

(b) If the applicant for license furnishes the board with an affidavit setting forth that he is not and will not be exposed to one or more of the liabilities covered by the insurance referred to in this section, then the board may waive the certification of the type of insurance covering liabilities for which he has no exposure. Any applicant for license who is covered by workmen's compensation insurance will not be required to have employers' liability insurance certified. The insurance carrier shall certify to the board that the coverages required in this section are in effect and will not be cancelled by the insurance carrier until at least thirty days' notice to the board by registered mail.

(c) In lieu of insurance, an applicant for license may furnish a bond of a licensed surety company which shall be approved as to form and sufficiency by the Attorney General in the amount of one hundred thousand dollars. The bond shall be conditioned to pay any final judgment entered against the applicant for license in a court of competent jurisdiction in this State, and to pay any liability arising during the term of the bond. Any such judgment obtained shall be a lien upon the bond.

Section 66-431.6. Before any dealer, branch or sub-dealer shall sell any liquefied petroleum gas to any person for resale to the public, he shall first ascertain that such person is licensed and qualified by the board to resell such liquefied petroleum gas. Any dealer, branch or sub-dealer wilfully violating the provisions of this section shall be subject to penalties as provided for in this article.

Section 66-431.7. It shall be unlawful for any person, whether an employee of a licensed gas dealer or otherwise, to transport or deliver liquefied petroleum gas, or to install, service, repair, adjust, connect or disconnect any gas appliances to or from any liquified petroleum gas system, unless such person shall be certified as competent by a licensed gas dealer employing such person. The certification by the dealer shall be under oath on forms prescribed by the board and shall run concurrently with the dealer's license. The board shall have power to revoke the certification for cause; *provided*, that the provisions of this section shall not apply to common laborers working under the direct and immediate supervision of a person who has been certified under this section.

Section 66-431.8. Any vehicle transporting liquefied petroleum gases shall be fully inspected and the operator or owner shall obtain from the board a certificate showing that the vehicle is in proper condition to transport such material. The certificate shall be displayed upon the windshield of the vehicle. The certificate shall be renewed annually or at more frequent intervals should the board deem it necessary in the interest of public safety. A fee of one dollar for each such certificate will be charged and paid to the board before delivery of the certificate.

Section 66-431.9. Any member of the board or any of its inspectors shall be permitted to enter during reasonable business hours upon the premises of any person engaged in the liquefied petroleum gas industry in any of its phases to inspect any properties or installations that relate in any way to the safe and proper operation of the business, and may make such investigations or examinations as they deem necessary for the public safety and the board may summon or compel the attendance of witnesses to testify in relation to any matter within the provisions of this article.

Section 66-431.10. Whenever any condition is found as a result of the inspection, examination or investigation provided in Section 66-431.9 that is hazardous to the public safety, the board shall order such condition removed or corrected. The order shall be in writing and served by registered mail. Should any person fail to comply with the terms of the order, he shall be subject to a fine, suspension of license, or refusal to renew or continue his license, as provided in Section 66-431.15, in the discretion of the board. *Provided*, before any license shall be revoked or suspended, the holder thereof shall have notice in writing of the charge against him at a date specified in such notice, at least five days after the service thereof, be given a public hearing and have an opportunity to produce testimony in his favor and confront the witnesses against him.

Section 66-431.11. Electrical circuits or electrical appliances, such as radios, telephones or other electrical apparatus, shall not be grounded to any liquified petroleum gas system or appliance. Any dealer or his agent finding a violation of this section shall request the owner of the property to remove such ground. Should the owner fail to comply with this request the dealer or his agent shall immediately report that fact to the board.

Section 66-431.12. All heating appliances installed for use in any hotel, tourist home, school, church, theater, auditorium, institutional

building, hospital, nursing home, convalescent home or other place of public assembly or rest shall be equipped with a pilot having a one hundred per cent safety cut-off valve of an automatic operating type. The pilot safety valve shall have positive control of the flow of gas to the appliance burners in public places for sleeping purposes.

Section 66-431.13. All owners, managers or operators of all vehicles or equipment covered under this article shall within twenty-four hours thereafter make a report to the board of all fires and explosions in connection with such equipment of accidental or incendiary origin of which they have knowledge, with as complete detail as possible, together with such evidence as they have obtained after investigation.

Section 66-431.14. The provisions of this article shall not apply to liquefied petroleum gas used as a by-product in the manufacture of any product nor to any person who is engaged in the retailing of liquefied petroleum gas in containers of less than fifty pounds water capacity if such person does not engage in filling liquefied petroleum gas cylinders or the installation, servicing, repairing, adjusting, connecting or disconnecting of appliances or piping to or from liquefied petroleum gas systems.

Section 66-431.15. Whenever, following hearing, the board finds that any person licensed under the provisions of this article has violated any of the provisions of this article, the board may suspend, revoke or refuse to renew or continue the license of such person, or in the alternative may impose an administrative penalty not to exceed two thousand dollars for any single offense.

Section 66-431.16. Any person required by Section 66-431.3 to obtain a license to do business in this State who shall refuse or neglect to obtain such license shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than five hundred dollars nor more than two thousand dollars, or imprisoned for not less than sixty days nor more than one year.

Section 66-431.17. The Circuit Court shall have the powers to reverse, modify in any particular or to affirm any such decision and order and to make both findings of fact and law in reference thereto."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R464, H1780)

## No. 276

**An Act To Amend Section 23-163 Of The 1962 Code, Relating To The Designation Of Voting Precincts Of Dorchester-Waylyn In Charleston County, So As To Further Define The Dorchester-Waylyn Precinct.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Subsection (1), Section 23-163, 1962 Code, amended—Dorchester-Waylyn voting precinct defined.**—Subsection (1) of Section 23-163 of the 1962 Code is amended by striking the last seven lines which read as follows: "Railroad right of way; at or near the Dorchester-Waylyn grammar school embracing the area bounded as follows: On the north by the right of way of the Atlantic Coast Line Railroad (Main track-Bennett yards), on the east by the right of way of the Southern Railroad, on the west by the Ashley River and on the south by Oconee and Pickens Streets; and on the Isle of Palms embracing the geographic area of the Isle of Palms" and inserting in lieu thereof the following: "Railroad right of way; beginning at a point where the right of way of the Southern Railroad meets the boundary of the property line of the United States Air Base, thence west in an irregular pattern to the Dorchester Road, thence north along the Eastern right of way of the Dorchester Road to a point where the road meets the Dorchester County line, thence south west along the Dorchester County line to the Ashley River, thence south along the Ashley River to a point opposite Oconee and Pickens Streets, thence east along Oconee and Pickens Streets to the right of way of the Southern Railroad, thence north along the Southern right of way to the beginning; and on the Isle of Palms embracing the geographic area of the Isle of Palms."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R465, H1797)

## No. 277

**An Act To Authorize The Town Council Of The Town Of McCormick In McCormick County To Abolish The Offices Of Com-**

**missioners Of Public Works And To Devolve Their Duties Upon The Mayor And Town Council.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of McCormick may abolish commissioners of public works.**—The Town Council of the Town of McCormick in McCormick County is authorized to abolish the offices of commissioners of public works at any regular or special meeting. Upon the abolition of the offices of commissioners, the duties, powers and responsibilities of the former commissioners shall be devolved upon the mayor and town council.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R467, H1810)

**No. 278**

**An Act To Ratify The Amendment To Sections 5 And 6 Of Article X Of The Constitution, Relating To The Limit Of Bonded Indebtedness Of Certain Political Subdivisions, So As To Provide That The Limitations Therein Contained Shall Not Apply To Bonded Indebtedness Incurred By Richland County For The Purpose Of Erecting And Improving A Civic Center, Including A Public Auditorium, A Public Coliseum, And Related Buildings And Facilities.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Sections 5 and 6, State Constitution, ratified—bonded indebtedness of Richland County in erecting a civic center—ratified, etc.**—The amendment to both Sections 5 and 6 of Article X of the Constitution of South Carolina, 1895, proposed under the terms of a Joint Resolution appearing as No. 1204 of the Acts of 1962, having been submitted to the qualified electors at the general election in 1962, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Article X, Sections 5 and 6, of the Constitution of South Carolina, 1895, the following:

*"Provided, that the limitations imposed in Sections 5 and 6 of Article X of the Constitution of the State of South Carolina shall not apply to bonded indebtedness incurred by Richland County when the proceeds of any bonds issued by the county are applied exclusively to the purpose of erecting and improving a civic center, comprised of a public auditorium, a public coliseum, and related buildings and facilities, whenever the question of incurring any bonded indebtedness for such purpose shall have been submitted to the qualified electors of the county, and shall have been approved by a majority of those voting thereon, in any election or elections held subsequent to November 1, 1962; and bonded indebtedness of Richland County incurred for such purpose shall not be considered in determining the power of Richland County to incur other bonded indebtedness, nor shall it be considered in determining the power of any municipality, political division, or political subdivision covering or extending over the territory of Richland County, or portions thereof, to incur bonded indebtedness."*

Ratified the 30th day of May, 1963.

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(R468, H1827)

**No. 279**

**An Act To Create The Hillendale Fire District In Greenville County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowings By The District, Including The Issuance Of Not Exceeding Thirty-Five Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District; To Make Provision For Their Payment; And To Provide Penalties For Violations.**

Whereas, the General Assembly, after due investigation, has found that the area in Greenville County described below has become populated to an extent that makes it necessary and desirable, for the general health and welfare and safety of the inhabitants thereof, to be served by publicly operated fire protection systems; and

Whereas, as a consequence of its findings, the General Assembly has determined to constitute the area as a special purpose district, to provide a governing body for the district, and to empower the

governing body as hereinafter provided for in this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Hillandale Fire District created in Greenville County—area.**—There is hereby created and established in Greenville County a district to be known as the Hillandale Fire District, which district shall be a public corporation of perpetual succession, and shall have the functions prescribed by this act. The district shall include and be comprised of that area of Greenville County:

Beginning at a point in the center of Poinsett Highway at the intersection of the Parker District Line, said point being approximately 200 feet, more or less, northwesterly from the intersection of Thompson Road and Poinsett Highway; thence running along the center of Poinsett Highway northwesterly to a point 200 feet northwest of S. Parker Road; thence northeastwardly parallel to and at all points 200 feet northwardly from the center of S. Parker Road to a point 200 feet north from the center of Jervey Road; thence northeasterly parallel to and 200 feet north from the center line of Jervey Road to a point 200 feet northeast from Dreamland Way; thence parallel to and 200 feet northerly from Dreamland Way and continuing with Manley Drive to a point 200 feet north of the intersection of Crestwood Drive; thence southerly and parallel to and at all points 200 feet easterly from the center line of Crestwood Drive, crossing Hall Road to a point in State Park Road 200 feet northeast from the intersection of Crestwood Drive; thence southerly with the center line of Paris Mountain Road to the Parker District Line; thence southwesterly with the Parker District Line to the point of beginning.

**SECTION 2. To be managed by a commission.**—The district shall be operated, managed and governed by a commission, to be known as Hillandale Fire District Commission. The commission shall consist of three resident electors of the district to be elected by the qualified electors of the district. The election shall be conducted by the Greenville County Board of Election Commissioners on such date as they may determine after giving public notice by newspaper advertisement of not less than three weeks. The election shall be conducted under the laws regulating general elections. Entries for the position shall be filed with the election commissioners

one week before the date fixed for the election. The term of each commissioner elected shall be for a period of six years, and until his successor is elected and qualified, except of the members first elected, one shall serve for a term of two years, one shall serve for a term of four years and one shall serve for a term of six years. After their election the commissioners shall meet and determine by lot the term to be served by each. Any vacancy shall be filled by election in the manner provided herein. In the event of a vacancy where the remainder of the term to be filled is less than one year, then such vacancy shall be filled by appointment made by the Governor upon the recommendation of the majority of the Legislative Delegation of Greenville County, including the Senator.

**SECTION 3. Powers and duties.**—There is committed to the district the functions of a system for fire protection within the district. To that end, the commission shall be empowered, as provided below, to:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulations of its affairs, and to define a quorum for its meetings.
5. Deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. Prescribe regulations, requiring persons who shall be residents of the district, to protect all property acquired by it. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, and a certified copy thereof has been recorded in the Register of Mesne Conveyance Office for Greenville County, and additional copies have been posted in the Courthouse for Greenville County and in at least two public places in the district, and notice of the adoption of such regulations published in, and at least once for three successive weeks, a newspaper published in and having general circulation in Greenville County. Such notice shall specify, in brief, the scope of the regulations and shall state the date on which the same shall become effective. Prior to the adoption of the resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and such notice shall appear in a newspaper published in and having general circulation in Green-

ville County not less than seven days prior to the occasion fixed for the holding of the meeting.

7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. Establish, operate and maintain a system of fire protection.

9. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1962, or by the following of the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1962, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

10. Appoint officers, agents, employees and servants, prescribe the duties of such employees, fix their compensation, and determine if and to what extent they shall be bonded for the faithful performance of their duties.

11. Make contracts for construction, engineering and other services, with or without competitive bidding.

12. Issue general obligation bonds of the district in an amount not to exceed thirty-five thousand dollars.

13. In addition to the powers given by paragraph 12 of this section, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to fire protection. If the method of financing authorized by this paragraph be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Greenville County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon.

14. Make provision for the holding of a special election in the district, on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by

this act. The election shall be conducted by the commissioners of election for Greenville County who shall give notice thereof by publication once each week for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts of the district as the same are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the primary purpose or purposes for which the proceeds of the bond issue are to be expended and with the blank set forth therein appropriately completed. Such question shall be substantially in the following form:

“SHALL THE HILLANDALE FIRE DISTRICT ISSUE BONDS IN A SUM NOT EXCEEDING THIRTY-FIVE THOUSAND DOLLARS, THE PROCEEDS OF WHICH SHALL BE USED TO ESTABLISH A FIRE PROTECTION SYSTEM WITHIN THE DISTRICT?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall strike through the word “NO”, and that if he is opposed to the issuance of bonds, he shall strike through the word “YES”. The managers of election at each precinct shall count the ballots and return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election for Greenville County, who shall declare the result of the election. If the commissioners determine that a majority of the voters voting in the election voted in favor of the issuance of bonds the bonds, or any part thereof, may be issued; but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued. The election shall be conducted in accordance with the provisions of the South Carolina Election Law insofar as applicable.

15. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

16. The Commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax therefor. The Commission shall notify the auditor and treasurer of any desired

tax, whereupon they shall assess and collect the tax as requested and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

**SECTION 4. Revenues.**—All revenues derived by the commission from the operation of any revenue-producing facility, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the commission from time to time for purposes germane to the functions of the district.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by any revenue-producing facility of the district, as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—The property of and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Obligations not to be impaired.**—So long as the district shall be indebted to any person on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of the obligations.

**SECTION 8. Unlawful acts.**—It shall be unlawful for any person to wilfully injure or destroy or in any manner hurt, damage, tamper with, or impair any facility of the district, or any part, or any apparatus or equipment incident thereto or used or useful in the operation of the facility, except in accordance with the regulations promulgated by the commission. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days, at the discretion

of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 9. Eminent domain.**—The Power of Eminent Domain conferred by this act shall not extend to property of any public utility as the utility could have acquired under its Power of Eminent Domain.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R469, S121)

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**No. 280**

**An Act To Establish A Fire District For Part Of Dillon County, To Provide For Its Governing Body And Its Powers And Duties, To Provide That One Of The Chiefs Shall Serve As Director Of Civil Defense, To Provide Penalties For Violations And To Repeal Sections 14-1798 Through 14-1798.6 Of The 1962 Code, Relating To The Establishment Of A Rural Fire And Rescue Department For Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Fire district established in Dillon County.**—There is established a fire district for that part of Dillon County comprising the area of the county except the corporate municipalities to be governed by the County Board of Commissioners.

**SECTION 2. Powers and duties of board.**—The board shall have the following duties and powers:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires in rural and suburban areas within the money allocated or made available to the board for such purposes, and to insure that the equipment shall be utilized for the best interest of the district.

(b) To select the sites or places within the county, including the corporate municipalities, where the fire-fighting equipment shall be stationed; to designate fire subdistricts; and to relocate and add such stations or subdistricts as necessary.

(c) To be responsible for the upkeep, maintenance, and repairs of the trucks and other fire-fighting equipment.

(d) To promulgate such rules and regulations as it may deem proper and necessary relating to the maintenance, operation and use of the equipment.

(e) To construct, if necessary, buildings to house the equipment authorized herein; *provided*, the land on which such buildings are constructed shall be donated to the district so long as the property is used for housing fire-fighting equipment.

(f) To regulate the use of equipment outside of the district.

(g) To cooperate and enter into agreements with the corporate municipalities of the county for mutual benefit.

**SECTION 3. Powers and duties further.**—The board shall have the following duties and powers:

(a) To select all drivers, volunteer firemen and other personnel, except the chiefs, necessary to provide fire protection in the district. *Provided*, that no personnel shall be selected without the approval of the chief of the truck company where such personnel will be stationed.

(b) To procure and supervise the training of the drivers, volunteer firemen and other personnel.

The chiefs shall be elected by the firemen of the respective truck companies. The board shall select one of the chiefs to serve as Director of Civil Defense, *ex officio*.

**SECTION 4. Indebtedness to be retired within ten years.**—Any indebtedness which may be incurred by the district for the purpose of fire protection shall be retired within a period of ten years.

**SECTION 5. Where equipment may be used—service to be free—supervision of equipment.**—The fire equipment provided for in this act shall be used to control, extinguish, and fight any fire within the area covered by the truck company to which the equipment is assigned or anywhere in the district without regard to its location. All service rendered, including the personnel used in the fighting and controlling of fires, shall be without cost or charge to the persons requesting such service. The Fire Chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

**SECTION 6. Members may enforce fire laws.**—All members of the truck companies of the district may direct and control traffic at the scene of any fire in the district and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose,

and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

**SECTION 7. Members may make investigations and arrests.—**

All members of the truck companies may investigate the origin of fires in the district and may arrest any person found at the scene or near the fire when it is suspected that such person has set or caused to be set fire to any dwelling house or building. Any such person so arrested shall be forthwith delivered to the custody of the Sheriff of Dillon County.

**SECTION 8. Unlawful acts—penalties.—**It shall be unlawful to interfere with a member of the fire department in the discharge of his duties in the company or to interfere with any fire apparatus used by the fire department and any person so offending shall be subject to a fine of not exceeding two hundred dollars or thirty days imprisonment.

**SECTION 9. Sections 14-1798 through 14-1798.6, 1962 Code, repealed.—**Sections 14-1798 through 14-1798.6 of the 1962 Code are repealed.

**SECTION 10. Time effective.—**This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R470, S421)

**No. 281**

**An Act To Provide For The Disposition Of Property Confiscated By The Sheriff Of Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Saluda County Sheriff may use confiscated property.—**Any motor vehicle or other property confiscated by the Sheriff of Saluda County may be used by the sheriff's office for law enforcement purposes. If any such property is not deemed suitable by the sheriff for the use of his office, he shall sell such property at public sale as provided by law. The proceeds derived from such sale shall be deposited with the county treasurer who shall keep such monies in a special account to be used for law enforcement purposes only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R471, S221)

**No. 282**

**An Act To Amend Act No. 847 Of 1962, Relating To Business Corporations, So As To Correct Errors And To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1.4(b) (2) (A) of Act 847 of 1962, amended—executions of documents.**—Section 1.4(b) (2) (A) of Act No. 847 of 1962 is amended by deleting the semicolon between the words “secretary” and “or” and inserting a comma, so that when amended it shall read as follows:

“(A) By the president or a vice-president, and by the secretary or an assistant secretary, or such other person as the bylaws may designate; or”.

**SECTION 2. Section 1.4(b) (2) (B) of Act 847 of 1962 amended—execution of documents.**—Section 1.4(b) (2) (B) of Act No. 847 of 1962 is amended by inserting before the first word “By” on line one the following: “If there are no such officers, then”, so that when amended it shall read as follows:

“(B) If there are no such officers, then by a majority of the directors or by such directors as may be designated by a majority of directors then in office; or”.

**SECTION 3. Section 1.4(b) (2) (C) of Act 847 of 1962, amended—execution of documents.**—Section 1.4(b) (2) (C) of Act No. 847 of 1962 is amended by inserting before the first word “By” on line one the following: “If there are no such directors, then”, so that when amended it shall read as follows:

“(C) If there are no such directors, then by the holders, or such of them as may be designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon; or”.

**SECTION 4. Section 1.4(e) of Act 847 of 1962, amended—execution of documents.**—Section 1.4(e) of Act No. 847 of 1962 is

amended by adding after the word "address" on line two the words "of the registered office", so that when amended it shall read as follows:

"(e) The original document and any copy thereof shall set forth the current address of the registered office of the corporation, the street or rural route address, post office box (if any), town or city, county, and state."

**SECTION 5. Section 1.5 of Act 847 of 1962, amended—verification of documents.**—Section 1.5 of Act No. 847 of 1962 is amended by deleting the words "and Acknowledgment" on line one, so that when amended it shall read as follows:

"Section 1.5. Verification of Documents."

**SECTION 6. Section 1.5 of Act 847 of 1962, amended—designation of sub-sections changed.**—Section 1.5 of Act No. 847 of 1962 is amended by designating present subsection (a) as subsection (c); by designating present subsection (b) as subsection (a); and by designating present subsection (c) as subsection (b).

**SECTION 7. Section 1.5(c) of Act 847 of 1962, amended—documents not to be acknowledged.**—Newly designated Section 1.5(c) of Act No. 847 of 1962 is amended by deleting the words "verified or" on line three, so that when amended it shall read as follows:

"(c) Except where it is specifically required by a provision of this Act or by any other statute, no document required by this Act need be acknowledged."

**SECTION 8. Section 1.6(a) of Act 847 of 1962, amended—delivery of documents for filing.**—Section 1.6(a) of Act No. 847 of 1962 is amended by striking the word "If" on line one and inserting the word "Whenever", so that when amended it shall read as follows:

"(a) Whenever any provision of this Act requires any document to be delivered for filing in accordance with this section, unless otherwise specifically stated in this Act and subject to any additional provisions of this Act, such requirement shall mean that:":

**SECTION 9. Section 1.6(a) (3) of Act 847 of 1962, amended—filing to be certified.**—Section 1.6(a) (3) of Act No. 847 of 1962 is amended by adding on line seven after the word "Secretary" the words "of State", so that when amended it shall read as follows:

"(3) Upon delivery of the documents, and upon tender of the required fees and taxes, the Secretary of State shall certify that the

original has been filed in his office by endorsing upon the original the word 'Filed' and the hour, day, month and year thereof. Such endorsement shall be known as the 'filing date' of the document, and shall be conclusive of the date of filing in the absence of actual fraud. The Secretary of State shall thereafter file and index the original."

**SECTION 10. Section 1.6(a)(4) of Act 847 of 1962, amended—conformed copy to be certified.**—Section 1.6(a) (4) of Act No. 847 of 1962 is amended by adding on line one after the word "Secretary" the words "of State", so that when amended it shall read as follows:

"(4) The Secretary of State shall immediately compare the conformed copy with the original, and if he finds that they are identical, he shall certify the conformed copy by making upon it the same endorsement which is required to appear upon the original, together with a further endorsement that the conformed copy is a true copy of the original document."

**SECTION 11. Section 1.10 of Act 847 of 1962, amended—saving clause.**—Section 1.10 of Act No. 847 of 1962 is amended by adding on line six after the words "specific provision" the following: "or application thereof", so that when amended it shall read as follows:

"Section 1.10. If any provision of this Act or any application of any provision to any person or circumstances is held unconstitutional or otherwise invalid, such invalidity shall not nullify or otherwise impair the remainder of this Act or any other provision or application thereof, but the effect shall be confined to the specific provision or application thereof held invalid, and for this purpose the provisions of this Act are declared to be severable."

**SECTION 12. Section 2.2 of Act 847 of 1962 amended—powers of corporations.**—Section 2.2 of Act No. 847 of 1962 is amended by striking out lines two, three and four and inserting in lieu thereof the following:

"(a) Subject to any limitations contained in any provisions of this Act or in any other law, each corporation shall have power in furtherance of its corporate purpose or purposes:"

**SECTION 13. Section 2.2(a) (1) of Act 847 of 1962, amended—powers of corporation.**—Section 2.2(a) (1) of Act No. 847 of 1962 is amended by adding a period after the word "perpetually" and strik-

ing the remainder of the sentence, so that when amended it shall read as follows:

“(1) To exist perpetually.”

**SECTION 14. Section 2.2(a) (7) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2 (a) (7) of Act No. 847 of 1962 is amended by changing the comma to a period after the word “Code” on line four and striking the remainder of the sentence, so that when amended it shall read as follows:

“(7) To make donations for any charitable, scientific, educational, or welfare purpose for which a donor is entitled to a federal income tax deduction under the then applicable provisions of the United States Internal Revenue Code.”

**SECTION 15. Section 2.2(a) (14) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2(a) (14) of Act No. 847 of 1962 is amended by striking the word “to” before the word “hold” on line one, so that when amended it shall read as follows:

“(14) In any lawful manner to acquire, hold and dispose of and exercise any power or right with respect to:”.

**SECTION 16. Section 2.2(a) (14) (A) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2(a) (14) (A) of Act No. 847 of 1962 is amended by striking the word “interest” on line one and inserting the word “interests”, so that when amended it shall read as follows:

“(A) The share or other interests in, or obligations of, other domestic or foreign corporations, associations, partnerships, or individuals; and”.

**SECTION 17. Section 2.2 (a) (17) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2(a) (17) of Act No. 847 of 1962 is amended by changing the period at the end thereof to a comma and adding the following:

“or on the life of any shareholder for the purpose of reacquiring at his death shares owned by such shareholder.”, so that when amended it shall read as follows:

“(17) To provide for its benefit insurance on the life of any of its directors, officers or employees, or on the life of any shareholder for the purpose of reacquiring at his death shares owned by such shareholder.”

**SECTION 18. Section 2.2(a) (18) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2(a) (18) of Act No. 847 of 1962 is amended by adding a period after the word “employees” on line two and striking the remainder of the sentence, so that when amended it shall read as follows:

“(18) To reimburse and indemnify litigation expenses of directors, officers, and employees.”

**SECTION 19. Section 2.2(a) (19) of Act 847 of 1962, amended—powers of corporations.**—Section 2.2(a) (19) of Act No. 847 of 1962 is amended by adding a period after the word “shares” on line two and striking the remainder of the sentence, so that when amended it shall read as follows:

“(19) To purchase and otherwise acquire, and to dispose of, its own shares.”

**SECTION 20. Section 2.2(a) of Act 847 of 1962, amended—new item added—powers of corporations.**—Section 2.2(a) of Act No. 847 of 1962 is amended by designating present item (20) as item (21) and adding a new item to read as follows:

“(20) At the request or direction of the United States Government or of any of its agencies, to transact any lawful business in time of war or national emergency, or in aid of national defense, notwithstanding the purpose or purposes set forth in its articles of incorporation.”

**SECTION 21. Section 2.2.(b) of Act 847 of 1962 amended—limitation of powers.**—Section 2.2(b) of Act No. 847 of 1962 is amended by striking it out and inserting in lieu thereof the following:

“(b) The articles of incorporation of any corporation subject to this Act may limit the powers conferred by subsection (a) of this section, except to the extent that any such limitation is inconsistent with any other provision of this Act or with any other law of this State.”

**SECTION 22. Section 2.3 of Act 847 of 1962 amended—certain acts or transfers not invalid.**—Section 2.3 of Act No. 847 of 1962 is amended by inserting the word “solely” between the words “invalid” and “by” on line three, so that when amended the first paragraph of the section shall read as follows:

“No act of a corporation and no conveyance or transfer of real or personal property to or by a corporation shall be invalid solely by reason of the fact that the corporation was without capacity or power

to do such act or to make or receive such conveyance or transfer, but such lack of capacity or power may be asserted.”.

**SECTION 23. Section 3.1 of Act 847 of 1962 amended—corporate name.**—Amend Section 3.1 of Act No. 847 of 1962 by deleting subsections (a), (b), (c), and (d) and substituting in lieu thereof the following:

“Section 3.1. Corporate Name.

(a) No domestic corporation or foreign corporation authorized to do or in fact doing business in this State shall use a name which:

(1) Contains any word or phrase or abbreviation or derivative thereof which indicates or implies that the corporation is organized for any purpose other than one or more of the purposes stated in its articles of incorporation.

(2) Is the same as or deceptively similar to:

(A) The name of any domestic corporation existing under the laws of this State;

(B) The name of any foreign corporation authorized to do business in this State;

(C) Any name the exclusive right to which is, at the time, reserved in the manner provided by Section 3.2 (Reserved Name);

(D) The name of any corporation which has in effect a registration of its corporate name as provided in Section 3.3 (Registered Name); or

(3) Contains any word or phrase or abbreviation or derivative thereof which implies that the corporation:

(A) Transacts or has power to transact any business, including, without limitation, the business of insurance, banking, or transportation, for which authorization, in whatever form and however denominated, is required under the laws of this State, unless the appropriate commission or officer has granted such authorization and certifies that fact in writing;

(B) Is organized as, affiliated with, or sponsored by, any fraternal, veterans', service, religious, charitable, or professional organization, unless that fact is certified in writing by the organization with which affiliation or sponsorship is claimed.

(b) The name of every domestic corporation except banks, insurance companies, public utilities and railroads organized on or after the effective date of this Act shall contain the word 'corporation', 'incorporated', or 'limited', or an abbreviation of one of these words.

(c) The Secretary of State shall not file any document, required by this Act to be filed in his office, in which a corporation, domestic or foreign, adopts or uses as its corporate name a name inconsistent with subsection (a) or (b) of this section.

(d) If a domestic corporation has been duly incorporated, or a foreign corporation duly authorized to do business in this State, subsequent discovery of violation of this section shall not invalidate its corporate existence or authority, as the case may be, but the courts of this State may, upon application of the State or of any interested or affected person, enjoin such violation, and grant any other appropriate relief."

**SECTION 24. Section 3.2(d) of Act 847 of 1962 amended—Secretary of State may revoke reservations.**—Section 3.2(d) of Act No. 847 of 1962 is amended by adding after the word "Secretary" on line one the words "of State" so that when amended it shall read as follows:

"(d) The Secretary of State may revoke any reservation if, after hearing, he finds that the application therefor or any transfer thereof was not made in good faith."

**SECTION 25. Section 3.4(a) (2) of Act 847 of 1962 amended—registered agent.**—Section 3.4(a) (2) of Act No. 847 of 1962 is amended to read as follows:

"(2) A registered agent, which agent may be either an individual resident in this State whose business office is identical with the corporation's registered office, or a domestic or foreign corporation authorized to do business in this State and having a business office identical with such registered office."

**SECTION 26. Section 3.5(d) of Act 847 of 1962 amended—change of address of agent.**—Subsection 3.5(d) of Act No. 847 of 1962 is amended by adding after the word "corporation" on line 2 of the subsection the words "or its registered agent", so that when amended it shall read as follows:

"(d) If the agent changes his or its address from that appearing upon the record in the office of the Secretary of State, the corporation or its registered agent, shall promptly notify the Secretary of State in writing of the new address of such agent."

**SECTION 27. Section 4.2 of Act 847 of 1962 amended.**—Section 4.2 of Act No. 847 of 1962 is amended by striking the word

“acknowledging” and inserting the word “verifying” on line four, so that when amended it shall read as follows:

**“Section 4.2. Incorporators: Number and Qualifications.**

One or more persons, having capacity to contract, whether or not residents of this State, may organize a corporation under this act by executing, verifying, and delivering for filing articles of incorporation in accordance with Sections 1.4, 1.5 and 1.6 of this Act.”

**SECTION 28. Section 4.3(b) (1) of Act 847 of 1962 amended—contents of articles of incorporation.**—Section 4.3(b) (1) of Act No. 847 of 1962 is amended by striking the words “or any series within a class of shares” on lines 2, 4 and 5 so that when amended it shall read as follows:

“(1) If any shares of a corporation, including any class of shares, have a par value, the articles shall state the total number of such shares, and the par value of each share. If any shares, including any class of shares, shall be without par value, the articles shall state the total number of such shares.”

**SECTION 29. Section 4.3(c) of Act 847 of 1962 amended—signing of articles of incorporation.**—Section 4.3(c) of Act No. 847 of 1962 is amended by adding after the word “of” at the end of line three the following: “the registered office of”, so that when amended it shall read as follows:

“(c) The articles of incorporation shall be signed by each incorporator, with his name and address legibly stated beneath or opposite his signature, and shall set forth the current address of the registered office of the corporation, the street or rural route address, post office box (if any), town or city, county, and state.”

**SECTION 30. Section 4.3(d) of Act 847 of 1962 amended—certificate that corporation organized legally.**—Section 4.3(d) of Act No. 847 of 1962 is amended by striking the words “and proper” on the last line, so that when amended it shall read as follows:

“(d) The articles of incorporation shall be accompanied by a certificate, signed by an attorney licensed to practice in this State, that all of the requirements of this Chapter relating to the organization of corporations have been complied with, and that, in the opinion of the attorney, the corporation is organized for a lawful purpose.”

**SECTION 31. Section 4.7 of Act 847 of 1962 amended.**—Section 4.7 of Act No. 847 of 1962 is amended to read as follows:

“Section 4.7. Organizational Meeting of Directors.

(a) At any time after the filing date of the articles of incorporation, an organizational meeting of the board of directors named in the articles of incorporation shall be held, either within or without this State, to adopt by-laws of the corporation, to elect officers, to do any other or further acts to complete the organization of the corporation, and to transact such other business as may come before the meeting.

(b) Such meeting may be called by the incorporator or by a majority of the incorporators who shall give to each director at least three days' notice thereof by any usual means of communication, and such notice shall state the time and place of the meeting. Notice of the organizational meeting of directors need not be given to any director who signs a waiver of notice, either before or after the meeting. Attendance of a director at the meeting shall of itself constitute a waiver of notice of such meeting, except where a director attends the meeting solely for the purpose of stating his objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened, or that notice was not given or was defective.”

**SECTION 32. Act 847 of 1962 amended—Section 5.1A added.**—Act No. 847 of 1962 is amended by adding a new section to be designated as Section 5.1A, immediately following Section 5.1, which shall read as follows:

“Section 5.1A. Authority of Directors to Issue Shares.

Except to the extent that the articles of incorporation or the bylaws otherwise provide, the directors of a corporation shall have authority to issue from time to time any part or all of the authorized but unissued shares or dispose of the treasury shares of the corporation, and to determine the time when, the terms and conditions upon which, and the consideration for which, the corporation shall issue or dispose of such shares.”

**SECTION 33. Section 5.6(b) of Act 847 of 1962 amended—consideration for shares without par value.**—Section 5.6(b) of Act 847 of 1962 is amended by striking the last sentence, so that when so amended it shall read as follows:

“(b) Shares without par value may be issued for such consideration expressed in dollars as may be fixed from time to time by the board of directors unless the articles of incorporation reserve to the shareholders the right to fix the consideration.”

**SECTION 34. Section 5.8(a) of Act 847 of 1962 amended—share rights and options.**—Section 5.8(a) of Act 847 of 1962 is amended by striking on lines 1 and 2 the following: “If the articles of incorporation permit, and subject to any provision therein” and inserting in lieu thereof “Unless this section or the articles of incorporation otherwise provide”, and by adding before the last sentence the following: “Except to the extent that this section permits otherwise,”, so that when so amended Section 5.8(a) shall read as follows:

“(a) Unless this section or the articles of incorporation otherwise provide, a corporation may create and issue, whether or not in connection with the issue and sale of any of its shares or other securities, rights or options entitling the holders thereof to purchase from the corporation shares of any class or classes, whether authorized but unissued shares, treasury shares, or shares to be purchased or acquired by the corporation. Except to the extent that this section permits otherwise, the consideration and payment for shares to be purchased under any such right or option shall comply with the requirements of Sections 5.6 (Consideration for Shares) and 5.7 (Payment for Shares).”

**SECTION 35. Section 5.8(b) of Act 847 of 1962 amended—instruments evidencing share rights and options.**—Section 5.8(b) of Act 847 of 1962 is amended by striking on line 1 the word “right” and inserting in lieu thereof the word “rights”, so that when so amended it shall read as follows:

“(b) The instrument or instruments evidencing such rights or options shall be approved by the board of directors, but shall be set forth or shall incorporate by reference the terms and conditions upon which, the time or times at or within which, and the price or prices at which, such shares may be purchased from the corporation upon the exercise of any such rights or option.”

**SECTION 36. Section 5.13 of Act 847 of 1962 amended—requirement of stated capital and determination thereof.**—Section 5.13 of Act No. 847 of 1962 is amended by striking subsection (a) in its entirety, and relettering the remaining subsections accordingly; by striking on line one of relettered subsection (a) the word “share” and inserting in lieu thereof the word “shares”; and by inserting on line three of relettered subsection (a) after the word “capital” the words “at least”, so that when amended it shall read as follows:

“(a) Upon issue by a corporation of shares with a par value, the consideration received therefor, expressed in dollars, shall constitute

stated capital at least to the extent of the par value of the shares, and the excess, if any, of such consideration shall constitute capital surplus.

(b) Upon issue by a corporation of shares without par value, the entire consideration received therefor shall constitute stated capital unless the board of directors within a period of sixty days after issue, allocates to capital surplus a portion, but not all, of the consideration received for such shares. No such allocation shall be made of any portion of the consideration received for shares without par value having a preference in the assets of the corporation upon liquidation except that part of such consideration which is in excess of such preference.

(c) The stated capital of a corporation may be increased from time to time by resolution of the board of directors transferring all or part of any surplus of the corporation to stated capital. The board may direct that the amount so transferred shall be stated capital in respect of any designated class or series of shares."

**SECTION 37. Section 5.16(a) (2) of Act 847 of 1962 amended—distribution must be voted on.**—Section 5.16(a) (2) of Act 847 of 1962 is amended by striking on lines 1 and 2 the following: "the articles of incorporation so provide and", so that when so amended it shall read as follows:

"(2) No such distribution shall be made unless such distribution is authorized by the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class whether or not entitled to vote thereon by the provisions of the articles of incorporation of the corporation."

**SECTION 38. Section 5.16(a) (4) of Act 847 of 1962 amended—corporation's purchase of its own shares.**—Section 5.16(a) (4) of Act 847 of 1962 is amended by placing a period after the word "corporation" on line 5 and striking the following:

"in the event of liquidation.", so that when so amended it shall read as follows:

"(4) No such distribution shall be made to the holders of any class of shares which would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holders of shares having preferential rights to the assets of the corporation."

**SECTION 39. Section 5.17(d) (4) of Act 847 of 1962 amended—corporation's purchase of its own shares.**—Section 5.17(d) (4)

of Act 847 of 1962 is amended by inserting on line 2 between the words "retirement" and "of" the words "or cancellation", so that when so amended it shall read as follows:

"(4) Subject to the other provisions of this Act, to effect the retirement or cancellation of its redeemable shares by redemption or by purchase."

**SECTION 40. Section 5.17(e) of Act 847 of 1962 amended—corporation's purchase of its own shares.**—Section 5.17(e) of Act 847 of 1962 is amended by changing the period at the end to a comma and adding the following: "or would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holders of shares having preferential rights to the assets of the corporation.", so that when so amended it shall read as follows:

"(e) A corporation shall in no event purchase its own shares if the corporation is insolvent, or if such purchase or payment would render it insolvent, or would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holders of shares having preferential rights to the assets of the corporation."

**SECTION 41. Section 5.18(c) of Act 847 of 1962 amended—redemption of redeemable shares.**—Section 5.18(c) of Act 847 of 1962 is amended, beginning on line 3, by striking the following: "would reduce its net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation in the event of dissolution." and inserting in lieu thereof the following: "would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holder of shares having preferential rights to the assets of the corporation.", so that when so amended it shall read as follows:

"(c) No redemption or purchase of redeemable shares shall be made by a corporation if it is insolvent, or if such redemption or purchase would render it insolvent, or would reduce the remaining net assets of the corporation below the aggregate preferential amount payable in event of liquidation to the holder of shares having preferential rights to the assets of the corporation."

**SECTION 42. Section 5.19(b)(1) of Act 847 of 1962 amended—name of corporation.**—Section 5.20(b) (1) of Act 847 of 1962 is

amended by striking the word "Corporation" and inserting in lieu thereof the word "corporation", so that when amended it shall read as follows:

"(1) The name of the corporation."

**SECTION 43. Section 5.20(b) (1) of Act 847 of 1962 amended—name of corporation.**—Section 5.20(b) (1) of Act 847 of 1962 is amended by striking the word "Corporation" and inserting in lieu thereof the word "corporation", so that when so amended it shall read as follows:

"(1) The name of the corporation."

**SECTION 44. Section 5.20(b) (3) of Act 847 of 1962 amended—to be included in statement.**—Section 5.20(b) (3) of Act 847 of 1962 is amended by striking on lines 2 and 3 between the words "retirement" and "of" the words "or cancellation", so that when amended it shall read as follows:

"(3) The aggregate number of issued shares, itemized by classes and series, after giving effect to the retirement of the shares."

**SECTION 45. Section 5.20(b) of Act 847 of 1962 amended—Item 5 added, to be included in statement.**—Section 5.20(b) of Act 847 of 1962 is amended by adding a new item to be designated as (5), immediately following Item (4), which shall read as follows:

"(5) If the articles of incorporation provide that the shares shall be cancelled and not reissued, then the number of shares which the corporation has authority to issue, itemized by classes and series, after giving effect to such cancellation."

**SECTION 46. Section 5.20(b) (4) of Act 847 of 1962 amended—to be included in statement.**—Section 5.20(b) (4) of Act 847 of 1962 is amended by deleting the last two sentences and relettering them to form subsection (c) which shall read as follows:

"(c) The filing of a statement of retirement shall reduce the stated capital of the corporation by that part of the stated capital which was, at the time of the retirement of the shares, represented by retired shares. If the articles of incorporation provide that the shares shall be cancelled and not reissued, the filing of the statement of cancellation shall also amend the articles to reduce the number of authorized shares by the number of cancelled shares."

**SECTION 47. Section 5.20(c) of Act 847 of 1962 amended—changed from (c) to (d).**—Section 5.20(c) of Act 847 of 1962 is amended by relettering to read "(d)".

**SECTION 48. Section 5.21(a) (3) of Act 847 of 1962 amended—shareholders to vote.**—Section 5.21(a) (3) of Act 847 of 1962 is amended by striking on line 5 the words “shares entitled to vote thereon.” and inserting in lieu thereof the following: “outstanding shares of each class whether or not entitled to vote thereon by the provisions of the articles of incorporation.”, so that when so amended it shall read as follows:

“(3) At such meeting a vote of the shareholders entitled to vote thereon shall be taken on the question of approving the proposed reduction of stated capital, which shall require for its adoption the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class whether or not entitled to vote thereon by the provisions of the articles of incorporation.”

**SECTION 49. Section 5.21(b) of Act 847 of 1962 amended—when reduction of stated capital not to be made.**—Section 5.21(b) of Act 847 of 1962 is amended by striking the following words beginning on line 6: “upon all issued shares having a preferential right in the assets of the corporation in the event of liquidation.” and inserting in lieu thereof the following: “in the event of liquidation to the holders of shares having preferential rights to the assets of the corporation.”, so that when so amended it shall read as follows:

“(b) No reduction of stated capital shall be made under the provisions of this section (1) if after such reduction the net assets of the corporation are not sufficient to pay any debts of the corporation not otherwise provided for, and (2) if after such reduction the amount of the aggregate stated capital of the corporation would be an amount equal to or less than the aggregate preferential amounts payable in the event of liquidation to the holders of shares having preferential rights to the assets of the corporation.”

**SECTION 50. Section 5.22(b) of Act 847 of 1962 amended—use of capital surplus.**—Section 5.22(b) of Act 847 of 1962 is amended by adding at the end thereof the following: “Each such application of capital surplus shall be disclosed in the next financial statement furnished by the corporation to its shareholders or in the first notice of dividend or share distribution that is furnished to shareholders between the date of such application and the next financial statement, and in any event within six months of the date of such action.”, so that when so amended it shall read as follows:

“(b) A corporation may, by resolution of its board of directors, apply any part or all of its capital surplus to the reduction or elimina-

tion of any deficit arising from losses, however incurred, but only after first eliminating the earned surplus, if any, of the corporation by applying such losses against earned surplus and only to the extent such losses exceed the earned surplus, if any. Each such application of capital surplus shall, to the extent thereof, effect a reduction of capital surplus. Each such application of capital surplus shall be disclosed in the next financial statement furnished by the corporation to its shareholders or in the first notice of dividend or share distribution that is furnished to shareholders between the date of such application and the next financial statement, and in any event within six months of the date of such action."

**SECTION 51. Section 5.24(a) of Act 847 of 1962 amended—convertible shares.**—Section 5.24(a) of Act 847 of 1962 is amended on line 4 by adding between the word "class" and the word "having" the words "or any series", so that when so amended it shall read as follows:

"(a) A corporation may, if authorized by the articles of incorporation, issue shares convertible, at the option of the holder only, into shares of any other class or into shares of any series of the same or any other class, except a class or any series having prior or superior rights and preferences as to dividends or distribution of assets upon liquidation. The period within which and the terms and conditions upon which shares may be made convertible shall be stated in the articles of incorporation, or in a resolution of the board of directors if pursuant to Section 5.3 (Authority of Directors in Certain Cases to Preferred or Special Classes in Series) the board of directors has authority to issue in series shares of preferred or special classes. Shares without par value shall not be converted into shares with par value, unless that part of the stated capital of the corporation represented by such shares without par value is, at the time of conversion, at least equal to the aggregate par value of the shares into which the shares without par value are to be converted."

**SECTION 52.—Section 6.1(c) of Act 847 of 1962 amended—by-laws may be amended or repealed.**—Section 6.1(c) of Act No. 847 of 1962 is amended by striking the words "such by-law" on line 4, between the words "unless" and "shall", and inserting the words "the by-laws", so that when amended it shall read as follows:

"(c) After incorporation, the directors may adopt, amend, or repeal by-laws, subject always to the right of the shareholders to adopt,

amend, or repeal by-laws. The directors may amend or repeal a by-law adopted by the shareholders unless the by-laws shall forbid amendment or repeal or limit the extent to which it may be amended or repealed. The directors shall not adopt a by-law which shall require for action by the shareholders any quorum or vote which is greater than that which this Act or the articles of incorporation as permitted by this Act prescribed for action by the shareholders."

**SECTION 53. Section 6.3(d) (4) of Act 847 of 1962 amended—may call meeting.**—Section 6.3(d) (4) of Act No. 847 of 1962 is amended by striking on line 3 the semicolon and the word "or" and inserting "or unless any section of this Act otherwise provides; or", so that when amended it shall read as follows:

"(4) The holders of not less than ten per cent of the shares entitled to vote at the meeting, unless the articles of incorporation or by-laws provide for a smaller percentage or unless any section of this Act otherwise provides; or".

**SECTION 54. Section 6.4(a) of Act 847 of 1962 amended—notice of meetings.**—Section 6.4(a) of Act No. 847 of 1962 is amended by striking the word "given" on line 8 between the words "deemed" and "when" and inserting "delivered", so that when amended it shall read as follows:

"(a) Written or printed notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten nor more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed delivered when deposited with postage prepaid in the United States mail, addressed to the shareholder at the address appearing on the stock transfer books of the corporation."

**SECTION 55. Section 6.5(b) of Act 847 of 1962 amended—waiver of notice.**—Section 6.5(b) of Act No. 847 of 1962 is amended by striking on lines 2 and 3 the words "without protesting prior to its conclusion the lack of or defect in notice of such meeting", so that when amended it shall read as follows:

"(b) Attendance of a shareholder at a meeting, in person or by proxy, shall of itself constitute waiver of notice, except when the shareholder attends a meeting solely for the purpose of stating his

objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened.”

**SECTION 56. Section 6.14(c) of Act 847 of 1962 amended—proxies.**—Section 6.14(c) of Act No. 847 of 1962 is amended by placing a period after the word “execution” on line 2 and striking out the rest of the sentence; amend further by inserting on line 12 between the words “a” and “meet-” the word “shareholders” and by striking on line 13 the words “of the shareholders” between the words “ing” and “of”, so that when amended it shall read as follows:

“(c) No proxy shall be valid after the expiration of 11 months from the date of its execution. Every proxy shall be dated as of its execution, and no proxy shall be undated or post-dated. Every proxy, except as otherwise provided in this section, shall be revocable at the pleasure of the shareholder executing it, and a proxy may be revoked by an instrument which in terms revokes the proxy, or by a duly executed proxy bearing a later date. The authority of a proxyholder shall not be revoked by death or supervening incapacity of the shareholder executing the proxy unless, before such authority is exercised, written notice of such death or incapacity is filed with the corporate officer responsible for maintaining the list of shareholders. The presence at a shareholders’ meeting of the shareholder appointing a proxy shall not of itself revoke the proxy, but such shareholder may revoke the appointment by giving notice to the corporate officer responsible for maintaining the list of shareholders, or by giving notice in open meeting of the shareholders.”

**SECTION 57. Section 6.15 of Act 847 of 1962 amended.**—Section 6.15 of Act No. 847 of 1962 is amended by striking out on line 3 the words “otherwise valid”, so that when amended it shall read as follows:

“Section 6.15. Agreements by Shareholders Respecting Voting of Shares.

An agreement between two or more shareholders, if in writing and signed by the parties thereto, may provide that in exercising any voting rights of shares held by the parties, including any vote with respect to directors, such shares shall be voted as provided by the agreement, or as the parties may agree, or as determined in accordance with a procedure agreed upon by the parties. Such agreement shall be valid and enforceable as between the parties thereto, for a period

not to exceed ten years from the date of its execution. Such agreement may be extended or renewed in like manner as a voting trust may be extended or renewed as provided by Section 6.16 (Voting Trusts)."

**SECTION 58. Section 6.18(a) of Act 847 of 1962 amended—informal action by shareholders.**—Section 6.18(a) of Act 847 of 1962 is amended by striking on line two "is as valid as though" and inserting "shall be deemed action of the shareholders", so that when amended it shall read as follows:

"(a) Action taken at any meeting of shareholders, however called and with whatever notice, if any, shall be deemed action of the shareholders taken at a meeting duly called and held on proper notice, if:."

**SECTION 59. Section 6.20(a) of Act 847 of 1962 amended—cumulative voting.**—Section 6.20(a) of Act 847 of 1962 is amended by inserting on line 4 before "to be elected" the words "who are", and by inserting after "to be elected" the words "and for whose election he has a right to vote", so that when amended it shall read as follows:

"(a) Each holder of shares entitled to vote at an election of directors shall have the right to cumulate his votes either (1) by giving to one candidate as many votes as shall equal the number of directors who are to be elected and for whose election he has a right to vote, multiplied by the number of shares owned by such holder, or (2) by distributing his votes on the same principle among any number of candidates."

**SECTION 60. Section 6.20(b) of Act 847 of 1962 amended—cumulative voting.**—Section 6.20(b) of Act 847 of 1962 is amended by striking it out and inserting in lieu thereof the following:

"(b) A shareholder who intends to vote his shares as provided in subsection (a) shall either (1) give written notice of such intention to the president or other officer of the corporation not less than 48 hours before the time fixed for the meeting, or (2) announce his intention in such meeting before the voting for directors shall commence; and all shareholders entitled to vote at such meeting shall without further notice be entitled to cumulate their votes. If a shareholder intending to cumulate his votes gives notice at the meeting, the person presiding may, or if requested by any shareholder shall, recess the meeting not to exceed two hours."

**SECTION 61. Section 6.21(c) of Act 847 of 1962 amended—pre-emptive rights.**—Section 6.21(c) of Act 847 of 1962 is amended by

inserting on line 1 between the words “shares” and “may” the words “or shares of any special class”, so that when amended it shall read as follows:

“(c) The holders of preferred shares or shares of any special class may be granted the pre-emptive right if and to the extent that the articles of incorporation so provide.”

**SECTION 62. Section 6.21 (d) of Act 847 of 1962 amended—no pre-emptive rights.**—Section 6.21 (d) of Act 847 of 1962 is amended by adding on line 1 after the word “incorporation” the words “or any amendment thereto,”, so that when amended it shall read as follows:

“(d) Except as otherwise provided in the articles of incorporation, or any amendment thereto, there shall be no pre-emptive right with respect to:”.

**SECTION 63. Section 6.21(d) (4) of Act 847 of 1962 amended—no pre-emptive rights.**—Section 6.21(d) (4) of Act 847 of 1962 is amended by inserting on line 2 after the word “incorporation” the words “or any amendment thereto,” and by inserting after the word “articles” on line 3 the words “of incorporation or articles of amendment, as the case may be”, so that when amended it shall read as follows:

“(4) Shares authorized in the corporation’s original articles of incorporation, or any amendment thereto, and issued, sold, or optioned within two years of the date of filing the articles of incorporation or articles of amendment, as the case may be;”.

**SECTION 64. Section 6.21(d) (7) of Act 847 of 1962 amended—no pre-emptive rights.**—Section 6.21(d) (7) of Act 847 of 1962 is amended by inserting on line 1 between the words “to” and “employees” “directors, officers, or”, so that when amended it shall read as follows:

“(7) Shares issued or optioned to directors, officers, or employees as provided in Section 5.8 (Share Rights and Options);”.

**SECTION 65. Section 6.22 of Act 847 of 1962 amended—subsection (cc) added, agreement to be on certificate.**—Section 6.22 of Act 847 of 1962 is amended by adding a new subsection between subsections (c) and (d), to be designated as subsection (cc), to read as follows:

“(cc) The text of any agreement authorized by subsection (b) shall be set forth in full, or a clear reference shall be made to the

agreement, upon the face or back of each certificate for shares issued by the corporation.”

**SECTION 66. Section 6.23(d) of Act 847 of 1962 amended—liability of fiduciaries.**—Section 6.23(d) of Act 847 of 1962 is amended by striking the word “for” on line 2 and inserting the word “to”, so that when amended it shall read as follows:

“(d) No trustee, executor, administrator, guardian, committee, custodian under the South Carolina Uniform Gifts to Minors Act, liquidator, receiver, trustee in bankruptcy, assignee for the benefit of creditors, or other fiduciary shall be personally liable under subsection (a) as a holder of or subscriber to shares of a corporation, but the estate or funds in his hands or under his control shall be so liable. Nothing in the foregoing shall relieve any fiduciary of liability for any breach of trust.”

**SECTION 67. Section 6.27 of Act 847 of 1962 amended—subsection (1) added—dissent on part of shares.**—Section 6.27 of Act 847 of 1962 is amended by adding at the end thereof the following subsection:

“(1) A shareholder may dissent as to less than all of the shares registered in his name. In such event, his rights shall be determined as if the shares to which he has dissented and his other shares were registered in the names of different shareholders.”

**SECTION 68. Section 8.5(b) of Act 847 of 1962 amended—election of directors.**—Section 8.5(b) of Act No. 847 of 1962 is amended by striking on the fourth line the words “the directors as a whole” and inserting in lieu thereof the words “all directors”, so that when amended it shall read as follows:

“(b) Where a corporation is authorized to issue more than one class of shares, the articles of incorporation may confer upon the holders of one or more specified classes of shares the right to elect all directors, or any specified number of them, or the directors of any class or classes established by the articles of incorporation, other than a classification by term of office as provided in subsection (a).”

**SECTION 69. Section 8.9(c) of Act 847 of 1962 amended—when notice not necessary.**—Section 8.9(c) of Act No. 847 of 1962 is amended by deleting on lines three and four of (c) the following: “without protesting prior to its conclusion the lack of or defect in notice of such meeting,” so that when amended it shall read as follows:

“(c) Notice of a meeting of directors need not be given to any director who signs a waiver of notice, either before or after the meeting. Attendance of a director at a meeting shall of itself constitute a waiver of notice of such meeting, except where a director attends a meeting solely for the purpose of stating his objection, at the beginning of the meeting, to the transaction of any business on the ground that the meeting is not lawfully called or convened.”

**SECTION 70. Section 8.9(e) of Act 847 of 1962 amended—notice or waiver of notice.**—Section 8.9(e) of Act No. 847 of 1962 is amended by deleting the period at the end of (e) and adding the following: “unless the by-laws so require.” so that when amended it shall read as follows:

“(e) Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice unless the by-laws so require.”

**SECTION 71. Section 8.12 of Act 847 of 1962 amended—informal or irregular action by directors.**—Section 8.12 of Act No. 847 of 1962 is amended by striking subsections (a) and (b) and inserting in lieu thereof the following:

“(a) Action taken without a meeting by a majority of directors, or by such larger vote as the articles of incorporation or the by-laws may require, shall be deemed action of the board of directors:

(1) If the directors own all of the corporation’s shares of all classes, and all directors know of the action taken and no director makes prompt objection to such action; or

(2) If all shareholders know of the action taken, and no shareholder makes prompt objection to such action; or

(3) If the directors take informal action pursuant to a custom of that corporation known generally to its shareholders, and all directors know of the action taken and no director makes prompt objection thereto.

(b) Action taken without a meeting by a majority of directors, or of a committee of directors, or by such larger vote as the articles of incorporation or the by-laws may require, shall be deemed action of the board of directors or of a committee if all directors or committee members, as the case may be, execute either before or after the action is taken, a written consent thereto, and the consent is filed with the records of the corporation.”

The section is further amended by relettering subsections (b) and (c) to (c) and (d) respectively, so that, when amended, the section shall read as follows:

“Section 8.12. Informal or Irregular Action by Directors.

(a) Action taken without a meeting by a majority of directors, or by such larger vote as the articles of incorporation or the by-laws may require, shall be deemed action of the board of directors:

(1) If the directors own all of the corporation's shares of all classes, and all directors know of the action taken and no director makes prompt objection to such action; or

(2) If all shareholders know of the action taken, and no shareholder makes prompt objection to such action; or

(3) If the directors take informal action pursuant to a custom of that corporation known generally to its shareholders, and all directors know of the action taken and no director makes prompt objection thereto.

(b) Action taken without a meeting by a majority of directors, or of a committee of directors, or by such larger vote as the articles of incorporation or the by-laws may require, shall be deemed action of the board of directors or of a committee if all directors or committee members, as the case may be, execute either before or after the action is taken, a written consent thereto, and the consent is filed with the records of the corporation.

(c) If a meeting otherwise valid of the board of directors or of any committee is held without call or notice where such is required, any action taken at such meeting shall be deemed ratified by a director or committee member who did not attend, unless after learning of the action taken and of the impropriety of the meeting, he makes prompt objection thereto.

(d) Objection by a shareholder, director or committee member shall be effective only if written objection to the holding of the meeting or to any specific action so taken is filed with the secretary of the corporation.”

**SECTION 72. Section 8.13(c) of Act 847 of 1962 amended—qualifications and election of officers.**—Section 8.13(c) of Act No. 847 of 1962 is amended by deleting the period at the end of (c) and adding the following: “in the by-laws.”, so that, when amended, it shall read as follows:

“(c) Qualifications of officers, if any, and the term and manner of their election may be prescribed in the by-laws; but officers shall be elected annually unless otherwise provided in the by-laws.”

**SECTION 73. Section 8.15 of Act 847 of 1962 amended.**—Section 8.15 of Act No. 847 of 1962 is amended by inserting on line three between the word “corporation” and the word “and” the following: “and of the shareholders” so that, when so amended, the section shall read as follows:

“Section 8.15. Duty of Directors and Officers.

The directors and officers of a corporation shall exercise their powers and discharge their duties in good faith with a view to the interests of the corporation and of the shareholders and with that degree of diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions.”

**SECTION 74. Section 8.16(a) (2) and (3) of Act 847 of 1962 amended — transactions with officers and directors.**—Section 8.16(a) (2) and (3) of Act No. 847 of 1962 is amended by adding at the beginning of subparagraph (2) the words “Although the vote of the interested director or directors is decisive of approval or disapproval of the transaction,” and by adding at the beginning of subparagraph (3) the words “Notwithstanding the foregoing subparagraphs of this subsection,” so that when amended it shall read as follows:

“(2) Although the vote of the interested director or directors is decisive of approval or disapproval of the transaction, the material facts as to his interest and as to the transaction are disclosed or known to the shareholders, and the transaction is specifically approved by vote of the shareholders without counting the votes of any shares owned or controlled by the interested director or directors; or if

(3) Notwithstanding the limitations contained in subparagraphs (1) and (2) of this subsection, the transaction is fair and equitable as to the corporation at the time it is authorized or approved, and the party asserting the fairness of the transaction establishes fairness.”

**SECTION 75. Section 8.16(b) (2) of Act 847 of 1962 amended —item 2 deleted.**—Section 8.16(b) (2) of Act No. 847 of 1962 is amended by deleting item (2) in its entirety and renumbering item (3) as item (2).

**SECTION 76. Section 8.16 of Act 847 of 1962 amended—sub-section (c) added—transactions with affiliated corporations.**—

Section 8.16 of Act No. 847 of 1962 is amended by adding a new subsection (c) which shall read as follows:

“(c) No contract or other transaction by a corporation with (1) any of its subsidiary, parent, or affiliated corporations, or (2) with another corporation in which there is a common director, shall be void or voidable solely for this reason, if the contract or other transaction is fair and equitable as of the date it is authorized, approved, or ratified. The party asserting the unfairness of any such contract or transaction shall establish unfairness.”

The section is further amended by relettering the present subsections (c) and (d) accordingly, to be (d) and (e).

**SECTION 77. Section 8.16(e) of Act 847 of 1962 amended—compensation of directors.**—Section 8.16(e) of Act No. 847 of 1962 is amended on line three by inserting between the words “shall” and “have” the following: “, without regard to the provisions of this section”, so that, when amended, it shall read as follows:

“(e) Except to the extent that the articles of incorporation or by-laws otherwise provide, the board of directors or the executive committee shall, without regard to the provisions of this section, have authority to fix the compensation of directors for their services as directors, officers, or in any other capacity.”

**SECTION 78. Section 9.1(a) of Act of 1962 amended—amendments to articles of incorporation.**—Section 9.1(a) of Act No. 847 of 1962 is amended by striking on line 3 “at the time it is made” and inserting in lieu thereof “on the filing date of the articles of amendment incorporating the amendment”, so that, when so amended, it shall read as follows:

“(a) A corporation may amend its articles of incorporation, from time to time, in any and as many respects as may be desired if such amendment, on the filing date of the articles of amendment incorporating the amendment, contains only such provisions as might then lawfully be contained in the original articles of incorporation.”

**SECTION 79. Section 9.2 of Act 847 of 1962 amended—amendments prior to organizational meeting.**—Section 9.2 of Act No. 847 of 1962 is amended by inserting “(a)” before the first sentence; by changing the comma after the word “incorporators” on line four to a period; by striking the remainder of the section, and by inserting in lieu thereof:

“(b) If any amendment permitted by subsection (a) of this section effects a material change in the articles of incorporation, subscribers for shares, if any, not assenting to the amendment may rescind their subscriptions without liability, notwithstanding any contrary provision of the subscription agreement.” The section, when so amended, shall read:

“Section 9.2. Certain Amendments by Directors of the Articles of Incorporation.

“(a) Prior to holding the organizational meeting required by Section 4.7 (Organizational Meeting of Directors), the articles of incorporation may be amended by the incorporator or if more than one incorporator, then by two-thirds of the incorporators.

“(b) If any amendment permitted by subsection (a) of this section effects a material change in the articles of incorporation, subscribers for shares, if any, not assenting to the amendment may rescind their subscriptions without liability, notwithstanding any contrary provision of the subscription agreement.”

**SECTION 80. Section 9.6(b) of Act 847 of 1962 amended—execution and filing of amendments.**—Section 9.6(b) of Act No. 847 of 1962 is amended by deleting the comma after (1) on line two, and by striking all after (2) and inserting in lieu thereof the following: “amendment by the directors as provided by Section 9.3 (Certain Amendments by Directors of the Articles of Incorporation) shall be made as directed by that section.” so that, when so amended, it shall read as follows:

“(b) All articles of amendment shall be executed, verified, and filed as provided by Sections 1.4—1.6, except that (1) if the amendment is made by the incorporator or incorporators as provided by Section 9.2 (Amendment of Articles of Incorporation Before Organizational Meeting), the articles of amendment shall be executed by the incorporator or incorporators, and (2) amendment by the directors as provided by Section 9.3 (Certain Amendments by Directors of the Articles of Incorporation) shall be made as directed by that section.”

**SECTION 81. Section 9.7(b) of Act 847 of 1962 amended—effect of amendments.**—Section 9.7(b) of Act No. 847 of 1962 is amended on line 3 by changing the word “effect” to “affect” and by inserting “or against” after the phrase “in favor of” so that, when so amended, it shall read as follows:

“(b) No amendment shall prejudice any claims of creditors or relieve the corporation of any liability already created or assumed, or affect any existing cause of action in favor of or against the corporation, or any pending suit to which the corporation shall be a party, or the existing rights of persons other than shareholders, but for all such purposes the corporation, although operating under the amended articles of incorporation, shall be regarded as the same corporation. In the event the corporate name shall be changed by amendment, no suit brought by or against such corporation under its former name shall abate because of the change of name.”

**SECTION 82. Section 10.3(c) of Act 847 of 1962 amended—vote on merger or consolidation.**—Section 10.3(c) of Act No. 847 of 1962 is amended by changing the period at the end thereof to a comma and adding the following: “as required by Section 9.5 (Class Voting on Amendments).” so that, when amended, it shall read as follows:

“(c) At each such meeting, a vote of the shareholders shall be taken on the proposed plan of merger or consolidation. Each outstanding share of each such corporation shall be entitled to vote on the proposed plan of merger or consolidation, whether or not such share has voting rights under the provisions of the articles of incorporation of such corporation. The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of each such corporation, unless any class of shares of any such corporation is entitled to vote as a class thereon, in which event, as to such corporation, the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon and of the total outstanding shares. Any class of shares of any such corporation shall be entitled to vote as a class if the plan of merger or consolidation, as the case may be, contains any provision which, if contained in a proposed amendment to articles of incorporation, would entitle such class of shares to vote as a class, as required by Section 9.5 (Class Voting on Amendments).”

**SECTION 83. Section 10.3(d) of Act 847 of 1962 amended—additional plan for merger or consolidation.**—Section 10.3(d) of Act No. 847 of 1962 is amended by changing the word “lesser” on line 3 to “less” so that, when so amended, it shall read as follows:

“(d) The articles of incorporation of any corporation may contain a provision prescribing for approval of a plan of merger or consolida-

tion a vote greater than (but in no event less than) that prescribed by subsection (c) of this section. Such provision”

**SECTION 84. Section 10.4 of Act 847 of 1962 amended—articles of merger or consolidation.**—Section 10.4 of Act No. 847 of 1962 is amended by deleting on line 5 the words “and Acknowledgment” so that, when so amended, the first paragraph shall read as follows:

“When the merger or consolidation has been approved by the shareholders of the participating corporations, articles of merger or consolidation shall be executed and verified by each corporation as provided by Sections 1.4 (Execution of Documents) and 1.5 (Verification of Documents), and shall be delivered for filing as provided by Section 1.6 (Delivery of Documents for Filing). The articles of merger or consolidation shall set forth:”.

**SECTION 85. Section 11.3(a) (3) of Act 847 of 1962 amended—sale of assets.**—Section 11.3(a) (3) of Act No. 847 of 1962 is amended by adding the following at the end thereof: “Any class of shares of any such corporation shall be entitled to vote as a class if the resolution proposing the sale of assets contains any provision which, if contained in a proposed amendment to the articles of incorporation, would entitle such class of shares to vote as a class, as required by Section 9.5 (Class Voting on Amendments).” When so amended, Item (3) shall read as follows:

“(3) At such meeting the shareholders may authorize such sale, and may fix, or may authorize the board of directors to fix, any or all of the terms and conditions thereof and the consideration to be received by the corporation therefor. Each outstanding share of the corporation shall be entitled to vote thereon, whether or not entitled to vote thereon by the provisions of the articles of incorporation. Such authorization shall require the affirmative vote of the holders of at least two-thirds of the outstanding shares of the corporation, unless any class of shares is entitled to vote as a class thereon, in which event such authorization shall require the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon and of the total outstanding shares. Any class of shares of any such corporation shall be entitled to vote as a class if the resolution proposing the sale of assets contains any provision which, if contained in a proposed amendment to the articles of incorporation, would entitle such class of shares to vote as a class, as required by Section 9.5 (Class Voting on Amendments).”

**SECTION 86. Section 11.3(b) of Act 847 of 1962 amended—sale of assets further.**—Section 11.3(b) of Act No. 847 of 1962 is amended by changing the word “lesser” on line 3 to “less” so that, when so amended, it shall read as follows:

“(b) The articles of incorporation of any corporation may contain a provision prescribing for approval of any sale of assets a vote greater than, but in no event less than, that prescribed by subsection (a) of this section. Such provision:”

**SECTION 87. Section 12.2(a) (4) of Act 847 of 1962 amended—dissolution of corporation.**—Section 12.2(a) (4) of Act No. 847 of 1962 is amended by adding at the end thereof the following: “Any class of shares of any such corporation shall be entitled to vote as a class if the resolution to dissolve the corporation contains any provision which, if contained in a proposed amendment to the articles of incorporation, would entitle such class of shares to vote as a class as required by Section 9.5 (Class Voting on Amendments)” so that, when so amended, it shall read as follows:

“(4) At such meeting a vote of shareholders entitled to vote thereat shall be taken on a resolution to dissolve the corporation. Each outstanding share of the corporation shall be entitled to vote thereon, whether or not entitled to vote thereon by the provisions of the articles of incorporation. Unless the articles of incorporation shall require a greater vote, the resolution shall be adopted upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of the corporation, unless any class of shares is entitled to vote as a class thereon, in which event the resolution shall require for its adoption the affirmative vote of the holders of at least two-thirds of the outstanding shares of each class of shares entitled to vote as a class thereon, and of the total outstanding shares. Any class of shares of any such corporation shall be entitled to vote as a class if the resolution to dissolve the corporation contains any provision which, if contained in a proposed amendment to the articles of incorporation, would entitle such class of shares to vote as a class as required by Section 9.5 (Class Voting on Amendments).”

**SECTION 88. Section 12.6(e) of Act 847 of 1962 amended—application to continue liquidation.**—Section 12.6(e) of Act No. 847 of 1962 is amended by deleting on line 3 “or principal place of business” so that, when so amended, it shall read as follows:

“(e) The corporation, at any time during the liquidation of its business and affairs, may apply to the court of the county in which

the registered office of the corporation is situated, to have the liquidation continued under the supervision of the court as provided in this Act.”

**SECTION 89. Section 12.15(a) (4) of Act 847 of 1962 amended—cause for dissolution.**—Section 12.15(a) (4) of Act No. 847 of 1962 is amended by striking it in its entirety and inserting in lieu thereof the following:

“(4) The acts of the directors or those in control of the corporation (A) are illegal or fraudulent or dishonest, or (B) are oppressive or unfairly prejudicial either to the corporation or to any shareholder whether in his capacity as a shareholder, director, or officer of the corporation.”

**SECTION 90. Section 12.20(a) of Act 847 of 1962 amended—decree dissolving corporation.**—Section 12.20(a) of Act No. 847 of 1962 is amended by deleting the word “shall” on line 4 so that, when so amended, it shall read as follows:

“(a) In proceedings to liquidate the assets and business of a corporation, the court shall enter a decree dissolving the corporation, upon determining that the costs and expenses of such proceedings and all debts, obligations and liabilities of the corporation have been paid and discharged and all of its remaining property and assets distributed to its shareholders, or in case its property and assets are not sufficient to satisfy and discharge such costs, expenses, debts and obligations, all the property and assets have been applied so far as they will go to their payment.”

**SECTION 91. Section 13.2(a) (4) of Act 847 of 1962 amended—statement.**—Section 13.2(a) (4) of Act No. 847 of 1962 is amended by changing the word “proposed” on line 1 to “proposes” so that, when so amended, it shall read as follows:

“(4) A statement of the business which it proposes to do in this State, and a statement that it is authorized to do that business under the laws of its jurisdiction of incorporation.”

**SECTION 92. Section 13.2(b) (1) of Act 847 of 1962 amended—application.**—Section 13.2(b) (1) of Act No. 847 of 1962 is amended by striking it and inserting in lieu thereof the following:

“(1) A copy of its articles of incorporation and all amendments thereto or in lieu thereof, if provided for by its jurisdiction of incorporation, the corporation may furnish a restated or consolidated

articles or charter duly authenticated by the proper officer of its jurisdiction of incorporation."

**SECTION 93. Section 13.5 of Act 847 of 1962 amended—subsection (b) deleted.**—Section 13.5 of Act No. 847 of 1962 is amended by deleting therefrom subsection (b), by renumbering subsections (c) and (d) as (b) and (c), and by changing (c) on line 2 of old subsection (d) to (b).

**SECTION 94. Section 13.9(a) (5) of Act 847 of 1962 amended—surrender of charter.**—Section 13.9(a) (5) of Act No. 847 of 1962 is amended by changing the word "surrender" to "surrenders" on line 1 so that, when so amended, it shall read as follows:

"(5) That it surrenders its authority to do business in this State."

**SECTION 95. Section 13.15(b) of Act 847 of 1962 amended—may not sue without authority.**—Section 13.15(b) of Act No. 847 of 1962 is amended by adding a comma after the word "authority" and inserting the following: "when such authority is required by this Act," so that, when so amended, it shall read as follows:

"(b) A foreign corporation doing business in this State without authority, when such authority is required by this Act, shall not maintain any action, suit or proceeding in this State unless and until such corporation shall have been authorized to do business in this State and shall have paid to the State all fees, penalties, and franchise taxes due under subsection (a). This prohibition shall apply to any assignee, except a subrogee, successor in interest, whether by merger, consolidation or otherwise, or purchaser of all or substantially all of the assets of such corporation."

**SECTION 96. Section 14.9(a) of Act 847 of 1962 amended—certified records to be prima facie evidence.**—Section 14.9(a) of Act No. 847 of 1962 is amended by striking it and inserting in lieu thereof the following:

"(a) When certified under oath of the president and of the secretary or an assistant secretary of the corporation to be true and correct, the original or a copy of

- (1) the minutes of the proceedings of the incorporators;
- (2) the minutes of the meetings or other proceedings of the shareholders or any class thereof;
- (3) the minutes of the meetings or other proceedings of the directors or of any committee thereof;

- (4) any written consent, waiver, release, or agreement entered into the records of minutes; and
- (5) a statement that no special meeting or proceeding was held, or that no specified consent, waiver, release or agreement exists, shall be *prima facie* evidence of the facts stated therein.”

**SECTION 97. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R473, H1259)

**No. 283**

**An Act Permitting Municipalities By Ordinance To Create Merit Committees And Prescribe The Qualifications, Terms, Powers And Duties Of The Members, Subject To Certain Exceptions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Municipalities may create merit committees.**—Municipalities of this State may by ordinance create merit committees and prescribe the qualifications, terms of office, powers and duties of the members. The committees shall be granted the power to promulgate rules and regulations necessary for their function. The committees, with the advice of the chief or head of any department, may employ, promote, demote or discharge any employee other than the chiefs or department heads, and may employ, demote or discharge any chief or department head subject to the approval of the governing body.

**SECTION 2. Exemptions.**—Any municipality operating under a civil service program provided by law shall be exempt from the provisions of this act.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

(R474, H1289)

**No. 284**

**AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1963; TO REGULATE THE EXPENDITURE OF FUNDS THEREFOR; FOR BORROWING MONEY; TO PROVIDE FOR ADMISSION OF MEMBERS OF THE GENERAL ASSEMBLY TO MEMBERSHIP IN THE STATE'S RETIREMENT FUND; FURTHER RELATING TO THE OPERATION OF THE STATE GOVERNMENT DURING THE FISCAL YEAR 1963-64; AND TO ENACT AS PERMANENT LAWS OF THE STATE OF SOUTH CAROLINA MEASURES TO FIX THE SALARIES OF THE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE STATE SUPREME COURT, THE CIRCUIT JUDGES, AND THE GOVERNOR; TO REGULATE THE OFFICE HOURS OF STATE DEPARTMENTS AND INSTITUTIONS INCLUDING THOSE OF THE STATE HIGHWAY DEPARTMENT; TO PROVIDE FOR SPECIAL LICENSE PLATES FOR STATE-OWNED MOTOR VEHICLES; TO PROVIDE FOR ESTABLISHMENT OF A CHAIR IN ARCHAEOLOGY AT THE UNIVERSITY OF SOUTH CAROLINA; TO PROVIDE FOR ISSUANCE OF STATE NOTES IN THE AMOUNT OF \$5,040,000.00 FOR THE PURPOSE OF PROVIDING ADDITIONAL FACILITIES FOR THE STATE MEDICAL COLLEGE, THE STATE BOARD OF CORRECTIONS, PINELAND TRAINING SCHOOL, THE SOUTH CAROLINA SCHOOL FOR BOYS, AND FOR THE ESTABLISHMENT OF A NEW INSTITUTION FOR MENTALLY RETARDED CHILDREN; TO AMEND ACT NO. 455 OF ACTS OF 1961 SO AS TO INCREASE THE AUTHORIZATION FOR ISSUANCE OF STATE NOTES FOR WHITTEN VILLAGE; TO PLACE CERTAIN OTHER STATE AGENCIES UNDER THE CONTROL OF THE PROPOSED NEW STATE BOARD OF EDUCATION IN THE EVENT IT IS ENACTED INTO LAW; TO AMEND SECTIONS 1-781 AND 21-293 CODE OF LAWS OF SOUTH CAROLINA OF 1962 SO AS TO FIX THE GENERAL FUND RESERVE AT \$2,000,000.00 AT THE END OF 1963-64.**

Be it enacted by the General Assembly of the State of South Carolina :

**PART I****Maintenance and Operation of State Government****SECTION 1**

For the fiscal year 1963-64, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses,

fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer as collected, when practicable, but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, However,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, Further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

## SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth herein, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operating expenses of the State Government applicable to the fiscal year 1963-64, and for such other purposes as may be hereinafter specifically designated.

## SECTION 3

### Legislative Department

#### Item 1. The Senate:

##### A. Personal Service:

##### A-1. *Salaries:*

|                                |             |
|--------------------------------|-------------|
| President .....                | \$ 1,500.00 |
| President Pro Tempore .....    | 400.00      |
| Senators (46 @ \$1,800.00) ... | 82,800.00   |
| Clerk (In full for year) ..... | 12,000.00   |

|   |           |
|---|-----------|
| Sergeant-at-Arms .....                                      | 750.00    |
| Assistant Clerk .....                                       | 950.00    |
| Secretary to President .....                                | 750.00    |
| Chaplain .....  | 350.00    |
| General Desk Clerks (2) .....                               | 1,600.00  |
| Bill Clerks (2) .....                                       | 1,200.00  |
| Journal Clerk .....   | 725.00    |
| Journal Clerk .....   | 650.00    |
| Reading Clerk .....   | 900.00    |
| General Committee Clerks (3) ..                             | 1,275.00  |
| Amendment Clerks .....                                      | 1,000.00  |
| Asst. Amendment Clerks (4) ..                               | 800.00    |
| Committee Sergeant .....                                    | 650.00    |
| Steno-Clerk, Judiciary Committee .....                      | 725.00    |
| Steno-Clerk, Social Security and Education Committees ..... | 725.00    |
| Stenographers, Finance Committee (2) .....                  | 1,450.00  |
| General Committee Stenographer .....                        | 725.00    |
| General Committee Stenographer .....                        | 725.00    |
| General Committee Stenographer .....                        | 725.00    |
| Keeper—President's Office ....                              | 320.00    |
| Keeper—Finance Committee Room .....                         | 320.00    |
| Keeper—Judiciary Committee Room .....                       | 320.00    |
| Doorkeepers (3) .....                                       | 1,200.00  |
| Elevator Operators (4) .....                                | 1,000.00  |
| Pages (3) .....   | 1,050.00  |
| Attendants (12) .....                                       | 2,400.00  |
| Laborers .....  | 1,260.00  |
| B. Contractual Services:                                    |           |
| B-2. Mileage (9¢ per mile) ....                             | 12,600.00 |
| Subsistence .....   | 28,200.00 |
| Official Expense Allowance—President .....                  | 800.00    |

|                                    |             |               |
|------------------------------------|-------------|---------------|
| C. Supplies:                       |             |               |
| C-4. Postage (46 @ \$15.00) ..     | 690.00      |               |
| E. Contingencies:                  |             |               |
| Approved Accounts .....            | 95,000.00   |               |
|                                    |             |               |
| Total (Item 1) The Senate .....    |             | \$ 258,535.00 |
| Item 2. House of Representatives:  |             |               |
| A. Personal Service:               |             |               |
| A-1. <i>Salaries:</i>              |             |               |
| The Speaker .....                  | \$ 1,500.00 |               |
| Speaker Pro Tempore .....          | 400.00      |               |
| Representatives .....              | 223,200.00  |               |
| Clerk (In full for year) .....     | 12,000.00   |               |
| Sergeant-at-Arms .....             | 750.00      |               |
| Asst. Sergeant-at-Arms .....       | 750.00      |               |
| Assistant Clerk .....              | 950.00      |               |
| Secretary to Speaker .....         | 750.00      |               |
| Chaplain .....                     | 350.00      |               |
| Amendment Clerks (2) .....         | 1,450.00    |               |
| Reading Clerk .....                | 900.00      |               |
| Bill Clerk .....                   | 725.00      |               |
| Journal Clerk .....                | 725.00      |               |
| General Desk Clerk .....           | 800.00      |               |
| General Desk Clerk .....           | 725.00      |               |
| Bill Clerk and General Com-        |             |               |
| mittee Clerk .....                 | 600.00      |               |
| General Committee Clerks (2) ..... | 1,450.00    |               |
| General Clerk and/or Stenog-       |             |               |
| rapher .....                       | 725.00      |               |
| Steno-Clerk, Ways and Means        |             |               |
| Committee .....                    | 725.00      |               |
| Steno-Clerk, Judiciary Commit-     |             |               |
| tee .....                          | 725.00      |               |
| Stenographer .....                 | 725.00      |               |
| General Committee Stenog-          |             |               |
| raphers (2) .....                  | 1,450.00    |               |
| Committee Sergeant .....           | 650.00      |               |
| Chief Page .....                   | 450.00      |               |
| Asst. Chief Page .....             | 400.00      |               |
| Pages (12) .....                   | 4,200.00    |               |
| Doorkeepers (3) .....              | 1,200.00    |               |

|                                       |              |               |
|---------------------------------------|--------------|---------------|
| Laborers (3) .....                    | 1,200.00     |               |
| Elevator Operators (4) .....          | 1,000.00     |               |
| B. Contractual Services:              |              |               |
| B-2. Mileage (9¢ per mile) .....      | 35,000.00    |               |
| Subsistence .....                     | 74,400.00    |               |
| Official Expense Allowance —          |              |               |
| Speaker .....                         | 800.00       |               |
| C. Supplies:                          |              |               |
| C-4. Postage (124 @ \$15.00) ...      | 1,860.00     |               |
| E. Contingencies:                     |              |               |
| Approved Accounts .....               | 95,000.00    |               |
| <hr/>                                 |              |               |
| Total (Item 2) House of Represen-     |              |               |
| tatives .....                         |              | \$ 468,535.00 |
| Item 3. Special Services for both     |              |               |
| Houses:                               |              |               |
| A. Personal Service:                  |              |               |
| A-1. <i>Salaries:</i>                 |              |               |
| Clerk on Enrollment of Acts ...\$     | 700.00       |               |
| Assistant Clerk on Enrollment of      |              |               |
| Acts .....                            | 700.00       |               |
| Postmaster .....                      | 600.00       |               |
| Assistant Postmaster .....            | 600.00       |               |
| Telephone Operators (2) (in           |              |               |
| full for session) .....               | 700.00       |               |
| Telephone Pages (2) .....             | 700.00       |               |
| Laborers (3) .....                    | 1,080.00     |               |
| Maid .....                            | 300.00       |               |
| E. Contingencies:                     |              |               |
| Approved Accounts .....               | 15,000.00    |               |
| <hr/>                                 |              |               |
| Total (Item 3) Special Services for   |              |               |
| both Houses .....                     |              | \$ 20,380.00  |
| Item 4. Codification of Laws and Leg- |              |               |
| islative Council:                     |              |               |
| A. Personal Service:                  |              |               |
| A-1. <i>Salaries:</i>                 |              |               |
| Code Commissioner and Director        |              |               |
| of Legislative Council (In            |              |               |
| full for year) .....                  | \$ 12,325.00 |               |

|   |             |               |
|---|-------------|---------------|
| Asst. Code Commissioner and<br>Asst. Director of Legislative<br>Council ..... | 9,500.00    |               |
| Attorney .....  | 8,500.00    |               |
| Attorney .....  | 8,500.00    |               |
| Lawyers .....   | 4,600.00    |               |
| Stenographers .....   | 7,975.00    |               |
| Clerk .....   | 725.00      |               |
| Clerical Help .....   | 2,000.00    |               |
| Pages .....   | 450.00      |               |
| A-2. Wages:   |             |               |
| Porter .....  | 650.00      |               |
| A-3. Special Payments:  |             |               |
| Per Diem and Travel of Com-<br>mittee on Statutory Laws..                     | 1,200.00    |               |
| B. Contractual Services:  |             |               |
| B-7. For Printing Code Supple-<br>ment .....                                  | 21,000.00   |               |
| E. Contingencies:   |             |               |
| Approved Accounts .....   | 48,500.00   |               |
| <hr/>   |             |               |
| Total (Item 4) Codification of Laws<br>and Legislative Council ..             |             | \$ 125,925.00 |
| Item 5. Clerk's Office (Clerk of the<br>Senate):                              |             |               |
| A. Personal Service:  |             |               |
| A-1. <i>Salaries</i> :  |             |               |
| Secretary .....   | \$ 2,910.60 |               |
| Bookkeeper .....  | 2,314.00    |               |
| A-2. Wages:   |             |               |
| Porter .....  | 525.40      |               |
| B. Contractual Services:  |             |               |
| B-3. Telephone and Telegraph ..   | 100.00      |               |
| C. Supplies:  |             |               |
| C-4. Office Supplies .....  | 150.00      |               |
| D. Fixed Charges and Contributions:   |             |               |
| D-1. Post Office Box Rent .....   | 12.00       |               |
| <hr/>   |             |               |
| Total (Item 5) Clerk's Office (Clerk<br>of the Senate) .....                  |             | \$ 6,012.00   |

## Item 6. Clerk's Office (Clerk of the House):

## A. Personal Service:

A-1. *Salaries*:

|                     |             |
|---------------------|-------------|
| Secretary .....     | \$ 2,910.60 |
| Clerical Help ..... | 4,357.30    |

A-2. *Wages*:

|              |        |
|--------------|--------|
| Porter ..... | 859.10 |
|--------------|--------|

## B. Contractual Services:

|                                 |        |
|---------------------------------|--------|
| B-3. Telephone and Telegraph .. | 100.00 |
|---------------------------------|--------|

## C. Supplies:

|                            |        |
|----------------------------|--------|
| C-4. Office Supplies ..... | 125.00 |
|----------------------------|--------|

## D. Fixed Charges and Contributions:

|                                |       |
|--------------------------------|-------|
| D-1. Post Office Box Rent .... | 18.00 |
|--------------------------------|-------|

Total (Item 6) Clerk's Office (Clerk  
of the House) .....

\$ 8,370.00

TOTAL (Legislative Department) ..

\$ 887,757.00

*Provided*, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, same to be paid from approved accounts; *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the clerk of each House. *Provided, Further*, That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the presiding officer and/or Clerk of the respective branches of the General Assembly. *Provided, Further*, That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further*, That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment thereof before such warrants are honored by the Comptroller General. *Provided, Further*, That the Clerk of

the Senate may employ two additional clerks for his office between sessions at a salary of \$178.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further,* That all employees of the General Assembly, with the exceptions of the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session, except that the Clerk of the House, the Clerk of the Senate, and the Director of the Legislative Council shall be paid no other compensation than that appropriated for those positions.

*Provided, Further,* That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

*Provided, Further,* That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical or other services. *Provided, Further,* That necessary temporary clerical help for the Chairman of the Senate Finance, House Ways and Means Committees, the President of the Senate, and the Speaker of the House, may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen, or the Speaker, or the President of the Senate, respectively. *Provided, Further,* That either the Sergeant-at-Arms or the Assistant Sergeant-at-Arms of the Senate and the House shall remain on duty from 9:00 A. M. to 5:00 P. M. during each day of the week between sessions, except that on Saturdays the hours of duty shall be from 9:00 A. M. to 1:00 P. M., for which the person performing these duties shall receive his regular per diem compensation for each day of actual duty. The duties of the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms shall be those provided by the Code, the Rules of the respective Houses, those designated by the presiding officers of the various Houses, and in addition the Sergeant-at-Arms and/or Assistant Sergeant-at-Arms of the respective Houses shall meet and escort visitors in and about their respective bodies and shall, during the hours of duty, be dressed in a distinctive manner so as to be easily identified as Sergeants-at-Arms. *Provided, Further,* That members of the Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the Sergeants-at-Arms are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1963 and 1964 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary

time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby increased to include the presiding officers of the two Houses, and the Committee is authorized to continue such work.

*Provided,* That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

*Provided, Further,* That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution, and to the Chief Justice and Associate Justices of the Supreme Court and each Judge of the Judicial Circuits. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribution of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

*Provided, Further,* That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

*Provided, Further,* That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten per cent over the rate paid for the 1956 session. Such sums shall be paid from the Approved Accounts of the respective Houses, services to both Houses, and the Legislative Council.

**SECTION 4**

## Judicial Department

## Item 1. Supreme Court:

## A. Personal Service:

A-1. *Salaries:*

|   |           |
|---|-----------|
| Chief and Associate Justices..\$                      | 95,500.00 |
| Clerk .....   | 6,000.00  |
| Reporter .....  | 3,334.00  |
| Librarian .....                                       | 4,800.00  |
| Secretary .....                                       | 4,800.00  |
| Stenographers (2) .....                               | 7,310.00  |
| Stenographers—Chief and As-<br>sociate Justices ..... | 20,985.00 |
| Legal Assistant to Chief Justice                      | 7,500.00  |
| Attendant .....                                       | 2,750.00  |
| Retired Justices .....                                | 18,000.00 |
| Widows of Justices .....                              | 6,000.00  |

## A-2. Wages:

|                 |        |
|-----------------|--------|
| Messenger ..... | 220.00 |
|-----------------|--------|

## A-3. Special Payments:

|                            |        |
|----------------------------|--------|
| Extra Steno Services ..... | 200.00 |
|----------------------------|--------|

## B. Contractual Services:

|                                |          |
|--------------------------------|----------|
| B-2. Travel .....              | 6,000.00 |
| B-3. Telegraph and Telephone.. | 2,500.00 |
| B-4. Repairs .....             | 500.00   |

## C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 5,000.00 |
|----------------------------|----------|

## D. Fixed Charges and Contributions:

|  |          |
|--|----------|
| D-1. Rents—Clock and Post Of-<br>fice Box..... | 39.00    |
| Offices Chief and Associate<br>Justices .....  | 3,000.00 |

## G. Equipment:

|                              |          |
|------------------------------|----------|
| G-1. Office Equipment .....  | 2,000.00 |
| G-7. Educational Equipment:  |          |
| Library:                     |          |
| Books .....                  | 6,000.00 |
| South Carolina Reports ..... | 3,862.00 |

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Total (Item 1) Supreme Court.... \$ 206,300.00

## Item 2. Circuit Courts:

## A. Personal Service:

A-1. *Salaries:*

|                                |               |
|--------------------------------|---------------|
| Circuit Judges (15) .....      | \$ 285,000.00 |
| Retired Judges .....           | 36,000.00     |
| Widows of Judges .....         | 12,000.00     |
| Circuit Stenographers (15) ... | 115,425.00    |

## A-3. Special Payments:

|                              |          |
|------------------------------|----------|
| Special Circuit Judges ..... | 1,000.00 |
|------------------------------|----------|

## B. Contractual Services:

|  |           |
|--|-----------|
| B-2. Travel .....                                      | 32,000.00 |
| Official Expense (Circuit Stenog-<br>raphers 15) ..... | 4,500.00  |

|                                    |               |
|------------------------------------|---------------|
| Total (Item 2) Circuit Courts .... | \$ 485,925.00 |
|------------------------------------|---------------|

## Item 3. Board of Law Examiners:

## A. Personal Service:

|  |             |
|--|-------------|
| A-3. Special Payments (3 mem-<br>bers) ..... | \$ 2,400.00 |
|--|-------------|

|  |              |
|--|--------------|
| Item 4. Board of Commissioners on<br>Grievances and Discipline ..... | \$ 10,000.00 |
|--|--------------|

|                                  |               |
|----------------------------------|---------------|
| TOTAL (Judicial Department) .... | \$ 704,625.00 |
|----------------------------------|---------------|

*Provided*, That the salaries provided herein for Circuit Stenographers shall be in full for all services to the Circuit Courts, except where specific appropriations are made by any of the counties in the respective circuits to supplement these salaries, and except for income derived by the said Circuit Stenographers from transcripts.

**SECTION 5**

## Governor's Office

## Item 1. Executive Control of State:

## A. Personal Service:

A-1. *Salaries:*

|                                |              |
|--------------------------------|--------------|
| Governor .....                 | \$ 20,000.00 |
| Executive Secretary .....      | 10,505.00    |
| Administrative Assistant ..... | 10,505.00    |
| Press Secretary .....          | 10,505.00    |

|                                      |              |               |
|--------------------------------------|--------------|---------------|
| Legal Secretary .....                | 10,505.00    |               |
| Stenographers .....                  | 30,800.00    |               |
| A-2. Wages—Messenger-Porter .....    | 2,682.50     |               |
| A-3. Special Payments—               |              |               |
| Extra Clerical .....                 | 5,219.00     |               |
| B. Contractual Services :            |              |               |
| B-2. Travel and Promotional Ex-      |              |               |
| pense .....                          | 13,000.00    |               |
| B-3. Telegraph and Telephone ..      | 10,000.00    |               |
| B-4. Repairs .....                   | 1,000.00     |               |
| C. Supplies :                        |              |               |
| C-4. Office Supplies .....           | 8,000.00     |               |
| D. Fixed Charges and Contributions : |              |               |
| D-1. Rents .....                     | 30.00        |               |
| D-3. Association Dues .....          | 100.00       |               |
| G. Equipment :                       |              |               |
| G-1. Office Equipment .....          | 1,000.00     |               |
| <hr/>                                |              |               |
| Total (Item 1) Executive Control     |              |               |
| of State .....                       |              | \$ 133,851.50 |
| Item 2. Mansion and Grounds :        |              |               |
| A. Personal Service :                |              |               |
| A-2. Wages .....                     | \$ 17,000.00 |               |
| B. Contractual Services :            |              |               |
| B-3. Telegraph and Telephone ..      | 3,000.00     |               |
| B-4. Repairs .....                   | 2,000.00     |               |
| B-6. Water, Heat, Light and Power    | 3,000.00     |               |
| C. Supplies .....                    | 15,000.00    |               |
| C-9. Agricultural Supplies .....     | 300.00       |               |
| D. Fixed Charges and Contributions : |              |               |
| D-2. Insurance .....                 | 300.00       |               |
| G. Equipment :                       |              |               |
| G-3. Household Equipment .....       | 5,000.00     |               |
| G-5. Agricultural Equipment .....    | 300.00       |               |
| <hr/>                                |              |               |
| Total (Item 2) Mansion and Grounds   |              | \$ 45,900.00  |
| Item 3. Law Enforcement :            |              |               |
| A. Personal Service :                |              |               |
| A-1. <i>Salaries:</i>                |              |               |
| Chief .....                          | \$ 9,778.00  |               |
| Governor's Officers .....            | 290,809.00   |               |

|                                   |            |               |
|-----------------------------------|------------|---------------|
| Operating Expense .....           | 203,228.00 |               |
| Intra-State Teletype Network .... | 41,000.00  |               |
|                                   | <hr/>      |               |
| Total (Item 3) Law Enforcement .  |            | \$ 544,815.00 |
| Item 4. Identification Bureau:    |            |               |
| Maintenance of Bureau .....       |            | \$ 10,000.00  |
|                                   | <hr/>      |               |
| TOTAL (Governor's Office) .....   |            | \$ 734,566.50 |

*Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.*

**SECTION 6**

## Lieutenant Governor's Office

## For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                               |             |
|-------------------------------|-------------|
| Lieutenant Governor .....     | \$ 1,000.00 |
| Secretary (For Six Months) .. | 2,340.00    |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 4,000.00 |
|-------------------|----------|

|   |  |             |
|---|--|-------------|
| TOTAL (Lieutenant Governor's<br>Office) ..... |  | \$ 7,340.00 |
|---|--|-------------|

**SECTION 7**

## Secretary of State

## Item 1. Keeping State Records:

## A. Personal Service:

A-1. *Salaries:*

|                                |              |
|--------------------------------|--------------|
| Secretary of State .....       | \$ 15,000.00 |
| Deputy Secretary of State .... | 8,250.00     |
| Corporation Clerk .....        | 5,570.00     |
| Secretary .....                | 4,085.00     |
| Clerk-Stenographer .....       | 4,086.00     |

## A-2. Wages:

|              |        |
|--------------|--------|
| Porter ..... | 549.00 |
|--------------|--------|

## A-3. Special Payments:

|                     |        |
|---------------------|--------|
| Clerical Help ..... | 200.00 |
|---------------------|--------|

|   |              |
|---|--------------|
| B. Contractual Services:                              |              |
| B-2. Travel .....                                     | 1,500.00     |
| B-3. Telegraph and Telephone ..                       | 550.00       |
| B-4. Repairs .....                                    | 150.00       |
| C. Supplies:  |              |
| C-4. Office Supplies .....                            | 4,500.00     |
| D. Fixed Charges and Contributions:                   |              |
| D-2. Premiums on Bonds .....                          | 325.20       |
| D-3. Association Dues .....                           | 100.00       |
| G. Equipment:   |              |
| G-1. Office Equipment .....                           | 3,500.00     |
| <hr/>   |              |
| Total (Item 1) .....                                  | \$ 48,365.20 |
| Item 2. Administration of Securities Act:             |              |
| A. Personal Service:                                  |              |
| A-1. <i>Salaries:</i>                                 |              |
| Deputy Securities Commis-                             |              |
| sioner .....  | \$ 8,800.00  |
| Accountant-Investigator .....                         | 6,600.00     |
| Secretary .....                                       | 4,000.00     |
| Secretary .....                                       | 3,300.00     |
| A-3. Special Payments:                                |              |
| Clerical Stenographic Help ...                        | 500.00       |
| B. Contractual Services:                              |              |
| B-2. Travel .....                                     | 750.00       |
| B-3. Telegraph and Telephone ..                       | 550.00       |
| B-4. Repairs .....                                    | 100.00       |
| C. Supplies:  |              |
| C-4. Office Supplies .....                            | 2,000.00     |
| D. Fixed Charges and Contributions:                   |              |
| D-1. Rents .....                                      | 2,200.00     |
| D-2. Premiums on Bonds .....                          | 36.00        |
| D-3. Association Dues .....                           | 100.00       |
| G. Equipment:   |              |
| G-1. Office Equipment .....                           | 300.00       |
| <hr/>   |              |
| Total (Item 2) Administration of Securities Act ..... | \$ 29,236.00 |
| <hr/>   |              |
| GRAND TOTAL (Secretary of State)                      | \$ 77,601.20 |

### SECTION 8

#### Comptroller General's Office

#### Item 1. Executive Control of Accounts:

##### A. Personal Service:

###### A-1. *Salaries:*

|                           |              |
|---------------------------|--------------|
| Comptroller General ..... | \$ 15,000.00 |
| Deputy Comptroller .....  | 9,400.00     |
| Accountants .....         | 13,400.00    |
| Auditors .....            | 21,800.00    |
| Bookkeepers .....         | 24,800.00    |
| Clerks .....              | 38,950.00    |

A-2. Wages ..... 1,115.00

###### A-3. Special Payments:

Clerical Help ..... 4,200.00

##### B. Contractual Services:

B-2. Travel ..... 1,300.00

B-3. Telegraph and Telephone .. 1,600.00

B-4. Repairs ..... 2,200.00

##### C. Supplies:

C-4. Office Supplies ..... 8,500.00

##### D. Fixed Charges and Contributions:

D-1. Rents ..... 39.00

D-2. Insurance ..... 400.00

D-3. Contributions ..... 50.00

##### G. Equipment:

G-1. Office Equipment ..... 2,000.00

Total (Item 1) Executive Control of  
Accounts .....

\$ 144,754.00

#### Item 2. Counties:

##### A. Personal Service:

###### A-1. *Salaries:*

County Auditors .....\$ 177,008.00

County Treasurers ..... 177,008.00

##### B. Contractual Services:

B-5. Printing and Advertising .. 70,000.00

Settlements with Counties .... 6,000.00

Total (Item 2) Counties .....

\$ 430,016.00

## Item 3. Elections:

## A. Personal Service:

A-1. *Salaries:*

Supervisors of Registration ..\$ 69,000.00

## B. Contractual Services:

B-7. Election Expenses ..... 25,000.00

---

Total (Item 3) Elections ..... \$ 94,000.00

## Item 4. Confederate Pensions:

## A. Personal Service:

## A-3. Special Payments:

Per Diem of Board .....\$ 100.00

## D. Fixed Charges and Contributions:

## D-3. Contributions:

Confederate Pensions ..... 23,200.00

---

Total (Item 4) Confederate Pensions \$ 23,300.00

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TOTAL (Comptroller General's Of-  
fice) ..... \$ 692,070.00

*Provided*, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred (\$200.00) Dollars each per year. *Provided, Further*, That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expenses shall not exceed the sum of Three Hundred (\$300.00) Dollars. *Provided, Further*, That for the year 1963-64 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

*Provided, Further*, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead, warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided*, That this provision shall in no way relieve the Comptroller General of responsibility.

*Provided*, That for the fiscal year 1963-64 the state shall pay on the salaries of County Auditors and Treasurers \$3,848.00 each.

*Provided, Further*, That for the fiscal year 1963-64 Commissioners of General Elections shall receive as expenses the sum of \$150.00 per year, payable quarterly, and Managers and Clerks shall receive a per diem of \$6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than three days for any election.

## SECTION 9

### Attorney General

#### Item 1. For Administration:

##### A. Personal Service:

##### A-1. Salaries:

|                                  |              |
|----------------------------------|--------------|
| Attorney General .....           | \$ 15,000.00 |
| First Assistant Attorney General | 11,100.00    |
| Assistant Attorney General....   | 11,000.00    |
| Assistant Attorneys General (7)  | 62,525.00    |
| Assistant Attorney General....   | 9,825.00     |
| Assistant Attorney General....   | 9,725.00     |
| Circuit Solicitors (15) .....    | 148,500.00   |
| Assistant Attorney General....   | 7,725.00     |
| Secretary—Law Clerk .....        | 7,000.00     |
| Secretaries (3) .....            | 12,544.50    |
| Clerk .....                      | 3,000.00     |
| Extra Stenographic Help .....    | 6,000.00     |
| Law Clerk—P. T. ....             | 1,200.00     |
| General Counsel—Public Service   |              |
| Commission .....                 | 6,440.00     |

##### A-2. Wages:

|              |        |
|--------------|--------|
| Porter ..... | 165.00 |
|--------------|--------|

##### B. Contractual Services:

|                                 |          |
|---------------------------------|----------|
| B-2. Travel .....               | 2,500.00 |
| Expense Allowance (Solicitors)  | 9,000.00 |
| B-3. Telegraph and Telephone .. | 3,500.00 |
| B-4. Repairs .....              | 500.00   |

##### C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 1,000.00 |
|----------------------------|----------|

|   |           |               |
|---|-----------|---------------|
| D. Fixed Charges and Contributions:       |           |               |
| D-1. Post Office Box Rent . . . . .       | 24.00     |               |
| D-2. Insurance (Official Bonds) . . . . . | 125.00    |               |
| D-3. Contributions . . . . .              | 150.00    |               |
| G. Equipment:                             |           |               |
| G-1. Office Equipment . . . . .           | 1,500.00  |               |
|   |           | <hr/>         |
| Total (Item 1) For Administration.        |           | \$ 330,048.50 |
| Item 2. For State Litigation:             |           |               |
| A. Personal Service:                      |           |               |
| A-3. Special Payments . . . . .           | 3,000.00  |               |
| B. Contractual Services:                  |           |               |
| B-2. Travel . . . . .                     | 15,000.00 |               |
| B-5. Printing and Advertising ..          | 2,500.00  |               |
| C. Supplies:                              |           |               |
| C-4. Office Supplies . . . . .            | 7,000.00  |               |
|   |           | <hr/>         |
| Total (Item 2) For State Litigation       |           | \$ 27,500.00  |
|   |           | <hr/>         |
| TOTAL (Attorney General) . . . . .        |           | \$ 357,548.50 |

*Provided*, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions.

*Provided, Further*, That, unless otherwise provided herein, no department or agency of the State government shall employ attorneys except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five (\$25.00) Dollars.

*Provided, Further*, That the Attorney General shall assign one of his assistants as counsel for the South Carolina Tax Commission, one to perform all necessary legal duties of the South Carolina Industrial Commission, one to perform necessary legal work for the Insurance Department, and one as general counsel of the South Carolina Public Service Commission, but the personnel so designated shall also perform any other duties that may be assigned by the Attorney General.

*Provided, Further*, That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient

amount to cover the compensation and expenses of attorneys assigned by the Attorney General to the Public Service Commission.

*Provided, Further,* That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

## SECTION 10

### State Treasurer's Office

#### Item 1. Receiving and Disbursing Funds:

##### A. Personal Service:

##### A-1. Salaries:

|                           |              |
|---------------------------|--------------|
| Treasurer .....           | \$ 15,000.00 |
| Assistant Treasurer ..... | 8,800.00     |
| Deputy .....              | 6,270.00     |
| Chief—Bond Section .....  | 6,600.00     |
| Bond Clerk .....          | 5,500.00     |
| Auditor .....             | 5,720.00     |
| Corporation Clerk .....   | 5,280.00     |
| Securities Clerk .....    | 5,280.00     |
| Disbursing Clerk .....    | 3,710.00     |
| Bookkeepers (3) .....     | 18,040.00    |
| Senior Clerk .....        | 4,345.00     |

##### A-2. Wages:

|              |        |
|--------------|--------|
| Porter ..... | 565.40 |
|--------------|--------|

##### A-3. Special Payments:

|                           |          |
|---------------------------|----------|
| Extra Clerical Help ..... | 1,300.00 |
|---------------------------|----------|

##### B. Contractual Services:

|                                  |          |
|----------------------------------|----------|
| B-2. Travel .....                | 3,000.00 |
| B-3. Telegraph and Telephone ..  | 1,500.00 |
| B-4. Repairs .....               | 1,200.00 |
| B-5. Printing and Advertising .. | 1,000.00 |

##### C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 2,500.00 |
|----------------------------|----------|

##### D. Fixed Charges and Contributions:

|  |          |
|--|----------|
| D-1. Rents .....                               | 90.00    |
| D-2. Insurance .....                           | 4,020.00 |
| D-3. Contributions (Association<br>Dues) ..... | 80.00    |
| D-4. Service Charges .....                     | 100.00   |

|                                     |             |               |
|-------------------------------------|-------------|---------------|
| G. Equipment:                       |             |               |
| G-1. Office Equipment .....         | 1,000.00    |               |
| <hr/>                               |             |               |
| Total (Item 1) Receiving and Dis-   |             |               |
| bursing Funds .....                 |             | \$ 100,900.40 |
| Item 2. Administration Expense      |             |               |
| Withholding Tax:                    |             |               |
| A. Personal Service:                |             |               |
| A-1. <i>Salaries:</i>               |             |               |
| Auditor .....                       | \$ 5,500.00 |               |
| IBM Supervisor .....                | 5,500.00    |               |
| B. Contractual Services:            |             |               |
| B-4. Repairs .....                  | 100.00      |               |
| C. Supplies:                        |             |               |
| C-4. Office Supplies .....          | 1,000.00    |               |
| D. Fixed Charges and Contributions: |             |               |
| D-1. Rents .....                    | 6,860.00    |               |
| G. Equipment:                       |             |               |
| G-1. Office Equipment .....         | 1,000.00    |               |
| <hr/>                               |             |               |
| Total (Item 2) Administration Ex-   |             |               |
| pense Withholding Tax ..            |             | \$ 19,960.00  |
| Item 3. Payment of Bonded Debt:     |             |               |
| D. Fixed Charges and Contributions: |             |               |
| D-4. Payment of Bonded Debt:        |             |               |
| Interest on Agricultural College    |             |               |
| Stock:                              |             |               |
| July 1, 1963 .....                  | \$ 5,754.00 |               |
| January 1, 1964 .....               | 5,754.00    |               |
| Interest on Clemson Perpetual       |             |               |
| Stock:                              |             |               |
| July 1, 1963 .....                  | 1,756.18    |               |
| January 1, 1964 .....               | 1,756.18    |               |
| Principal and Interest Payment      |             |               |
| on Whitten Village and              |             |               |
| John G. Richards Ind. Sch.          |             |               |
| Notes:                              |             |               |
| October 15, 1963 Principal ..       | 100,000.00  |               |
| October 15, 1963 Interest ...       | 4,500.00    |               |
| April 15, 1964 Interest .....       | 3,000.00    |               |

|  |            |
|--|------------|
| Principal and Interest Payments<br>on School for the Deaf and<br>the Blind and F. F. A.<br>Camp: |            |
| October 15, 1963 Principal ..  | 95,000.00  |
| October 15, 1963 Interest ..   | 1,900.00   |
| Principal and Interest Payments<br>on State Ports Bonds:   |            |
| September 1, 1963 Principal  | 300,000.00 |
| September 1, 1963 Interest.  | 76,500.00  |
| March 1, 1964 Interest .....   | 71,400.00  |
| Principal and Interest Payments<br>on State Ports Bonds:   |            |
| September 1, 1963 Interest..   | 69,062.50  |
| March 1, 1964 Interest.....  | 69,062.50  |
| March 1, 1964 Principal ...  | 250,000.00 |
| Principal and Interest Payments<br>on State Ports Bonds:   |            |
| December 1, 1963 Interest ..   | 95,625.00  |
| June 1, 1964 Principal .....   | 500,000.00 |
| June 1, 1964 Interest .....  | 95,625.00  |
| Principal and Interest Payments<br>on State Ports Bonds:   |            |
| December 1, 1963 Principal   | 50,000.00  |
| December 1, 1963 Interest ..   | 14,250.00  |
| June 1, 1964 Interest .....  | 13,500.00  |
| Principal and Interest Payments<br>on Stadium Notes:   |            |
| October 1, 1963 Principal..  | 40,000.00  |
| October 1, 1963 Interest ....  | 8,000.00   |
| April 1, 1964 Interest .....   | 7,200.00   |
| Principal and Interest Payments<br>on Stadium Notes:   |            |
| August 1, 1963 Interest ....   | 6,500.00   |
| August 1, 1963 Principal ...   | 20,000.00  |
| February 1, 1964 Interest ..   | 6,000.00   |
| Institutional and Armory Bonds<br>(1958):  |            |
| August 1, 1963 Interest ....   | 21,250.00  |
| February 1, 1964 Interest ..   | 21,250.00  |
| February 1, 1964 Principal ..  | 212,500.00 |

## Principal and Interest on Archives Building Note:

|                               |           |
|-------------------------------|-----------|
| July 1, 1963 Principal .....  | 20,000.00 |
| July 1, 1963 Interest .....   | 3,150.00  |
| January 1, 1964 Interest .... | 2,700.00  |

|   |                 |
|---|-----------------|
| Total (Item 3) Payment of Bonded Debt ..... | \$ 2,192,995.36 |
|---|-----------------|

|                                     |                 |
|-------------------------------------|-----------------|
| Total (State Treasurer's Office) .. | \$ 2,313,855.76 |
|-------------------------------------|-----------------|

*Provided*, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1963 and June 30, 1964, shall be allocated to the counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a sufficient amount to adjust same to the terms of this provision. The amount herein allocated to the counties shall be distributed in accordance with the provisions of Section 5, of Part II, Act No. 207, Acts of 1961.

**SECTION 11**

## Adjutant General's Office

## Item 1. Administration:

## A. Personal Service:

A-1. *Salaries*:

|                                |              |
|--------------------------------|--------------|
| Adjutant General .....         | \$ 15,000.00 |
| Assistant Adjutant General ... | 7,000.00     |
| Secretary .....                | 5,250.00     |
| Personnel Officer .....        | 6,080.00     |
| Operations Officer .....       | 6,080.00     |
| Clerk .....                    | 3,800.00     |
| Clerk .....                    | 3,200.00     |
| Stenographers .....            | 6,400.00     |
| Steno-Clerks .....             | 9,000.00     |
| Clerks .....                   | 9,000.00     |
| Armorer .....                  | 3,300.00     |

|  |           |               |
|--|-----------|---------------|
| A-2. Wages .....   | 10,787.28 |               |
| A-3. Special Payments .....  | 2,000.00  |               |
| B. Contractual Services:   |           |               |
| B-2. Travel .....  | 4,000.00  |               |
| B-3. Telegraph and Telephone ..  | 3,850.00  |               |
| B-4. Repairs .....   | 25,000.00 |               |
| B-6. Water, Heat, Light and<br>Power .....                                       | 4,560.00  |               |
| C. Supplies:   |           |               |
| C-2. Fuel Supplies .....   | 3,900.00  |               |
| C-4. Office Supplies .....   | 2,500.00  |               |
| C-8. Motor Vehicle Supplies ....   | 950.00    |               |
| C-12. Other Supplies .....   | 1,500.00  |               |
| D. Fixed Charges and Contributions:  |           |               |
| D-2. Insurance .....   | 12,500.00 |               |
| D-3. Contributions (Assn. Dues)  | 1,225.00  |               |
| D-4. Other Fixed Charges (Co.<br>Maintenance Fund) .....                         | 65,000.00 |               |
| Officers Candidate School (Pal.<br>Mil. Acad.) .....                             | 9,000.00  |               |
| G. Equipment:  |           |               |
| G-1. Office Equipment .....  | 750.00    |               |
| G-8. Other Equipment .....   | 1,000.00  |               |
| Total (For Administration) .....   |           | \$ 222,632.28 |
| Portion of State share for con-<br>struction of new armory at<br>Greenwood ..... |           | \$ 25,000.00  |
| GRAND TOTAL (Adjutant General)   |           | \$ 247,632.28 |

*Provided*, That the Adjutant General is authorized to compensate the Director of the S. C. Retirement System for administering social security coverage for the technician employees of the S. C. National Guard.

## SECTION 12

### University of South Carolina

|                              |                 |
|------------------------------|-----------------|
| For Maintenance .....        | \$ 4,451,125.00 |
| Operation of Law Enforcement |                 |
| Training School .....        | 20,000.00       |
| Branch Operation .....       | 200,000.00      |

|   |                 |
|---|-----------------|
| Bureau of Governmental Research and Service . . . . . | 30,000.00       |
| Bureau of Business and Economic Research . . . . .    | 37,500.00       |
| <hr/>   |                 |
| Total (University of South Carolina) . . . . .        | \$ 4,738,625.00 |

*Provided*, That the amount appropriated in this section for "Bureau of Governmental Research and Service" shall be used in addition to funds previously earmarked by the University for this purpose.

### SECTION 13

#### The Citadel

|   |                 |
|---|-----------------|
| For Maintenance . . . . .                   | \$ 1,819,133.00 |
| For Debt Service on Stadium Bonds . . . . . | 11,325.00       |
| <hr/>                                       |                 |
| Total (The Citadel) . . . . .               | \$ 1,830,458.00 |

### SECTION 14

#### Clemson College (Collegiate Activities)

|   |                 |
|---|-----------------|
| For Maintenance . . . . .                               | \$ 4,015,820.00 |
| Engineering Research . . . . .                          | 70,000.00       |
| Teaching and Research in Water and Sewerage . . . . .   | 10,000.00       |
| <hr/>   |                 |
| Total Clemson College (Collegiate Activities) . . . . . | \$ 4,095,820.00 |

### SECTION 15

#### Winthrop College

|                           |                 |
|---------------------------|-----------------|
| For Maintenance . . . . . | \$ 1,925,222.00 |
|---------------------------|-----------------|

*Provided*, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

**SECTION 16**

## State Medical College

|                               |                 |
|-------------------------------|-----------------|
| Medical College Maintenance   | \$ 1,334,485.00 |
| For Cancer Clinics .....      | 145,000.00      |
| Cardiac Clinic .....          | 8,500.00        |
| Medical College Hospital .... | 1,387,000.00    |
| School of Nursing .....       | 147,723.96      |

|                                     |                 |
|-------------------------------------|-----------------|
| Total (State Medical College) ..... | \$ 3,022,708.96 |
|-------------------------------------|-----------------|

*Provided*, That out of the amount appropriated in this section the sum of \$8,000.00, or so much thereof as may be necessary, shall be used to cover the costs of scholarships provided in Act No. 800 of the Acts of 1948.

*Provided, Further*, That the appropriation provided in this Section for Psychiatric Residency Training shall be used by the authorities of the State Medical College to provide stipends in a career type program of psychiatric residency training at rates of \$8,000.00 for the first year, \$9,000.00 for the second year and \$10,000.00 for the third year for each such trainee. Any individual accepting such a residency shall legally obligate himself, or herself, to serve at least an equivalent amount of time, on completion of such training, in one of the State operated mental institutions, such as the South Carolina State Hospital, Pineland, Whitten Village, and the various community mental health clinics.

*Provided, Further*, That any balance on June 30, 1963, in the 1962-63 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1963-1964.

*Provided, Further*, That any balances on June 30, 1963 in the appropriations for psychiatric residency training and Cardiac Clinic may be carried forward and expended for the same purpose during the fiscal year 1963-1964.

**SECTION 17**

## S. C. State College

|                       |                 |
|-----------------------|-----------------|
| For Maintenance ..... | \$ 1,747,263.00 |
|-----------------------|-----------------|

*Provided*, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed

practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

**SECTION 18**

## John da la Howe School

|                      |              |
|----------------------|--------------|
| Administration ..... | \$ 25,820.00 |
| Education .....      | 54,210.00    |
| Dietary .....        | 30,500.00    |
| General Plant .....  | 81,207.00    |
| Farm .....           | 18,450.00    |
| Dairy .....          | 14,250.00    |
| Infirmary .....      | 9,050.00     |
| Laundry .....        | 4,250.00     |

TOTAL (John de la Howe School) .. \$ 237,737.00

**SECTION 19**

## School for the Deaf and the Blind

|                                |              |
|--------------------------------|--------------|
| Administration .....           | \$ 32,400.00 |
| Education .....                | 329,266.00   |
| Infirmary .....                | 9,400.00     |
| General Plant .....            | 151,500.00   |
| Dietary .....                  | 113,100.00   |
| School for Aphasic Children .. | 20,000.00    |

TOTAL (School for the Deaf and the  
Blind) ..... \$ 655,666.00

**SECTION 20**

## Superintendent of Education's Office

## Item 1. Superintendence:

## A. Personal Service:

A-1. *Salaries*:

|   |           |
|---|-----------|
| Superintendent of Education ..\$              | 15,000.00 |
| Secretary—State Board of Edu-<br>cation ..... | 5,382.00  |

## A-3. Special Payments:

|                         |          |
|-------------------------|----------|
| Per Diem of Board ..... | 1,200.00 |
|-------------------------|----------|

|                                   |              |
|-----------------------------------|--------------|
| Total Item 1 (Superintendence) .. | \$ 21,582.00 |
|-----------------------------------|--------------|

## Item 2. State Department of Education—General. Division of Special Services, Public Information and School Administration:

## A. Personal Service:

A-1. *Salaries:*

|  |             |
|--|-------------|
| Director .....                               | \$ 7,592.00 |
| Secretary .....                              | 3,406.00    |
| Supervisor — Publications and Releases ..... | 5,486.00    |

## School Lunch Program:

|                                    |          |
|------------------------------------|----------|
| Supervisor .....                   | 6,708.00 |
| Assistant Supervisor .....         | 5,772.00 |
| Supervisor—Food Distribution ..... | 5,070.00 |
| Steno-Bookkeeper .....             | 3,666.00 |
| Clerks (3) .....                   | 9,334.00 |

## Division of Finance:

## A. Personal Service:

A-1. *Salaries:*

|  |          |
|--|----------|
| Director .....                           | 7,020.00 |
| Supervisor—Budget and Personnel .....    | 4,738.00 |
| State Aid Accountant .....               | 5,200.00 |
| Supervisor Statistical Reports ..        | 5,200.00 |
| Supervisor Tabulating Installation ..... | 4,602.00 |
| Steno-Bookkeeper .....                   | 3,848.00 |
| Auditors .....                           | 8,580.00 |
| Supervisor—School Attendance ..          | 5,720.00 |
| Punch Machine Operator .....             | 3,094.00 |
| Punch Machine Operator .....             | 3,094.00 |
| Machine Operator .....                   | 3,796.00 |

A-2. *Wages:*

|              |          |
|--------------|----------|
| Porter ..... | 1,119.00 |
|--------------|----------|

|                                     |           |
|-------------------------------------|-----------|
| A-3. Special Payments:              |           |
| Accountants—Part Time . . . . .     | 8,000.00  |
| B. Contractual Services:            |           |
| B-1. Freight, Express and De-       |           |
| livery . . . . .                    | 25.00     |
| B-2. Travel . . . . .               | 33,000.00 |
| B-3. Telephone and Telegraph . .    | 5,000.00  |
| B-4. Repairs . . . . .              | 800.00    |
| B-5. Printing:                      |           |
| Printing—Educational Bulletins      | 7,200.00  |
| C. Supplies:                        |           |
| C-4. Office Supplies . . . . .      | 14,000.00 |
| C-7. Educational Supplies . . . . . | 300.00    |
| D. Fixed Charges and Contributions: |           |
| D-1. Rents . . . . .                | 14,000.00 |
| D-2. Insurance—Bond Premiums        | 52.50     |
| D-3. Contributions (Association     |           |
| Dues) . . . . .                     | 1,100.00  |
| G. Equipment:                       |           |
| G-1. Office Equipment . . . . .     | 1,500.00  |
| Division of Teacher Education and   |           |
| Certification:                      |           |
| A. Personal Service:                |           |
| A-1. <i>Salaries:</i>               |           |
| Director . . . . .                  | 7,488.00  |
| Secretary . . . . .                 | 3,718.00  |
| Supervisors (2) . . . . .           | 11,310.00 |
| Steno-Clerk . . . . .               | 3,328.00  |
| Chief Clerk . . . . .               | 4,082.00  |
| Trades Certificate Clerk . . . . .  | 3,731.00  |
| Recertification Clerk . . . . .     | 3,328.00  |
| Recertification Clerk . . . . .     | 3,198.00  |
| Steno-Clerk . . . . .               | 3,328.00  |
| Transcript Clerk . . . . .          | 3,328.00  |
| Clerk . . . . .                     | 3,016.00  |
| A-3. Special Payments:              |           |
| Clerical Help . . . . .             | 12,000.00 |
| D. Fixed Charges and Contributions: |           |
| D-4. Other Fixed Charges:           |           |
| Certification Expense . . . . .     | 25,000.00 |

## Division of Instruction:

## A. Personal Service:

A-1. *Salaries:*

|   |           |
|---|-----------|
| Director .....                                    | 7,020.00  |
| Secretary .....                                   | 2,860.00  |
| Field Supervisors (2) .....                       | 11,964.00 |
| Chief Supervisor Secondary<br>Education .....     | 6,918.00  |
| Secretarial Assistant .....                       | 4,446.00  |
| Secretary .....                                   | 3,406.00  |
| Chief Supervisor of Elementary<br>Education ..... | 6,786.00  |
| Supervisor, Primary Education                     | 5,824.00  |
| Stenographer .....                                | 2,938.00  |
| Supervisor Physical Education.                    | 7,046.00  |
| Supervisor Health Education ..                    | 6,266.00  |
| Stenographer .....                                | 3,068.00  |
| Coordinator for Negro Schools.                    | 6,630.00  |
| Assistant Coordinator .....                       | 5,720.00  |
| Stenographer .....                                | 3,094.00  |
| Negro Supervisor—Elementary<br>Education .....    | 5,278.00  |
| Stenographer .....                                | 3,016.00  |
| Supervisor Library Science ...                    | 5,400.00  |
| Supervisor Adult Education ..                     | 5,564.00  |
| Supervisor Audio-Visual Aid .                     | 5,850.00  |
| Supervisor Special Education .                    | 6,500.00  |
| Stenographer .....                                | 3,094.00  |
| State Supervisor of Music ....                    | 7,500.00  |

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Total (Item 2) State Department of  
Education—General ..... \$ 401,065.50

## Item 3. Special Services:

## A. Personal Service

## (Veterans' Education):

A-1. *Salaries:*

|                    |             |
|--------------------|-------------|
| Director .....     | \$ 5,954.00 |
| Secretary .....    | 3,666.00    |
| Stenographer ..... | 3,032.00    |

## Hard-of-Hearing and Speech Therapy

## Program:

A-1. *Salaries:*

|   |          |
|---|----------|
| Supervisor .....                          | 7,020.00 |
| Stenographer .....                        | 3,042.00 |
| Technical Assistant .....                 | 6,000.00 |
| Hearing and Speech<br>Correctionist ..... | 5,512.00 |
| Hearing and Speech<br>Correctionist ..... | 5,018.00 |
| Field Representative .....                | 4,706.00 |

## B. Contractual Services:

|                                  |           |
|----------------------------------|-----------|
| B-1. Printing for Public Schools | 12,000.00 |
|----------------------------------|-----------|

## D. Fixed Charges and Contributions:

## D-4. Other Fixed Charges:

|  |               |
|--|---------------|
| Aid to Handicapped, Hard-of-<br>Hearing, and Speech<br>Therapy Program .....   | 18,000.00     |
| Education of Mentally and<br>Physically Handicapped<br>Children .....  | 25,000.00     |
| Curriculum Development ....  | 16,000.00     |
| State Aid for Teachers' Salaries   | 67,783,320.00 |
| Improvement of Instructional<br>Program .....  | 3,000,000.00  |
| Non-Teaching Principals, Su-<br>pervisors and Special<br>Teachers .....  | 500,000.00    |
| Supervision and Overhead ....  | 3,173,580.00  |
| Maintenance and Operation ..   | 3,966,975.00  |
| County Attendance Supervisors  | 154,192.00    |
| County School Lunch Super-<br>visors .....   | 154,192.00    |
| School Lunch Program Aid ..  | 165,000.00    |
| County Superintendents of<br>Education .....   | 221,237.00    |
| For Matching Federal Funds<br>for Administration of Fi-<br>nancial Assistance for<br>Strengthening Science,<br>Mathematics, and Modern |               |

|  |                 |                       |
|--|-----------------|-----------------------|
| Foreign Language Instruction .....   | 35,000.00       |                       |
| For Matching Federal Funds for Guidance, Counseling and Testing; Identification and Encouragement of Able Students ..... | 13,474.00       |                       |
| For Matching Federal Funds for Improvement of Statistical Services of State Educational Agencies .....                   | 10,000.00       |                       |
| Audio Visual Aids Library for Public Schools .....   | 100,000.00      |                       |
|  | <hr/>           |                       |
| Total (Item 3) Special Services ..   |                 | 79,391,920.00         |
| Item 4. Special Schools:   |                 |                       |
| D. Fixed Charges and Contributions:  |                 |                       |
| D-4. Other Fixed Charges:  |                 |                       |
| Adult Schools .....  | \$ 60,900.00    |                       |
| Area Trade Schools Operating .....   | 441,000.00      |                       |
|  | <hr/>           |                       |
| Total (Item 4) Special Schools ...   |                 | \$ 501,900.00         |
| Item 5. Vocational Education:  |                 |                       |
| D. Fixed Charges and Contributions:  |                 |                       |
| D-4. Other Fixed Charges:  |                 |                       |
| Agriculture .....  | \$ 1,222,341.00 |                       |
| Home Economics .....   | 810,805.00      |                       |
| Trades and Industries .....  | 644,740.00      |                       |
| Distributive Education .....   | 66,370.00       |                       |
| Teacher Training .....   | 15,000.00       |                       |
| Vocational Agriculture Camps .....   | 2,500.00        |                       |
| Home Economics Girls' Camps .....  | 5,000.00        |                       |
| Trades and Industries—   |                 |                       |
| Camp Improvements ....   | 2,500.00        |                       |
| Matching Federal Funds Area Vocational Education Programs .....  | 25,000.00       |                       |
|  | <hr/>           |                       |
| Total Item 5 (Vocational Education)  |                 | \$ 2,794,256.00       |
| TOTAL (Superintendent of Education) .....  |                 | <hr/> \$83,110,723.50 |

*Provided*, That the number of teachers qualifying for State Aid in 1963-64 shall be determined on the basis of enrollment and average daily attendance of either the year 1962-63 or 1963-64.

*Provided, Further*, That the amount provided in this section for "Improvement of Instructional Program" shall be distributed to the school districts of the State in the proportion that the pupil enrollment in each school district bore to the total pupil enrollment in the state in the school year immediately preceding. The funds so distributed shall be used, in the discretion of the respective school district boards, to provide merit salary increases for the school teachers employed, or to employ additional teachers for the purpose of reducing the teacher load. The funds distributed hereunder shall be used for the upgrading of the educational system of the respective school districts and shall not be utilized so as to decrease local district appropriations.

*Provided, Further*, That so much as may be necessary of the appropriation herein made for "State Aid for Teachers' Salaries" provided in Item 3 of this section, may be used to pay State Aid for Teacher's Salaries for the year 1962-63 should the appropriation for that year prove inadequate.

*Provided, Further*, That so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 3 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

*Provided, Further*, That the amount appropriated herein under Item 3 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$3,352.00 each per year, and no such salary shall be supplemented from funds provided in Item 3, of this Section, for "School Lunch Program Aid".

*Provided, Further*, That the amount appropriated herein under Item 3 for Aid to Counties in the School Lunch program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1962-63. *Provided, Further*, That travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further*, That all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superintendent

of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropriation and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

*Provided, Further,* That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunch room supervisor where the pupil attends.

*Provided, Further,* That in the distribution of State funds provided in this section for "Supervision and Overhead," for "Maintenance and Operation" and for "non-teaching principals, supervisors, and special teachers", no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. Provided, however, that a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

*Provided Further,* That notwithstanding the amount listed in Item 3 as appropriated for "Supervision and Overhead," there is hereby appropriated, for the fiscal year 1963-64, an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1963-64, as determined by the State Superintendent of Education, multiplied by Five (\$5.00) Dollars.

*Provided, Further,* That notwithstanding the amount listed in Item 3 as appropriated for "Maintenance and Operation," or any Act or parts of Acts to the contrary notwithstanding, there is hereby appropriated for the fiscal year 1963-64 an amount equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1963-64, as determined by the State Superintendent of Education, multiplied by Six Dollars and Twenty-Five Cents (\$6.25), and the State Superintendent of Education is hereby directed to allot and distribute this fund on that basis.

*Provided, Further,* That the Federal funds provided in Title V for guidance, testing, and counseling, plus the funds withheld, will be distributed to the school districts under the state plans approved by the State Board of Education by which South Carolina is qualified to participate in the program. Schools that do not wish to participate

under the provisions of Title V of the National Defense Education Act will be reimbursed with any state funds that have been withheld under this proviso.

*Provided, Further,* That for the fiscal year 1963-64 the State shall pay on the salaries of County Superintendents of Education \$4,809.50 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Education on the salary of the director or chief administrative officer of schools.

*Provided, Further,* That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not exceeding \$30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

*Provided, Further,* That the amount appropriated herein under Item 3 for Education of Mentally and Physically Handicapped Children shall be used to reimburse school districts for expense incurred during the year 1963-64 in the operation of such programs in accordance with Act 882, Acts of 1958, but no district shall be reimbursed for more than 70% of such expense nor more than \$150.00 per child per year in average daily attendance.

*Provided, Further,* That the amount appropriated herein under Item 3 for Non-Teaching Principals, Supervisors and Special Teachers shall be allotted to school districts on the basis of the number of pupils enrolled in the public schools during fiscal year 1963-64.

*Provided, Further,* That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

## SECTION 21

### South Carolina Opportunity School

|                      |              |
|----------------------|--------------|
| Administration ..... | \$ 23,560.00 |
| Instruction .....    | 45,444.00    |
| Dietary .....        | 34,083.00    |
| Infirmary .....      | 2,457.00     |

|   |           |               |
|---|-----------|---------------|
| General Plant .....                               | 76,654.00 |               |
| Vocational Rehabilitation Diagnostic Center ..... | 23,007.00 |               |
|   |           |               |
| TOTAL (S. C. Opportunity School)                  |           | \$ 205,205.00 |

## SECTION 22

### State Agency of Vocational Rehabilitation

|   |              |               |
|---|--------------|---------------|
| Administration .....                              | \$ 22,700.00 |               |
| Case Services to Clients .....                    | 627,300.00   |               |
|   |              |               |
| TOTAL (State Agency of Voc. Rehabilitation) ..... |              | \$ 650,000.00 |

*Provided*, That any balance in the appropriation for Vocational Rehabilitation for the year 1962-63, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1963-64.

## SECTION 23

### State Educational Finance Commission

#### Item 1. Commission:

##### A. Personal Service:

##### A-3. Special Payments:

|                               |           |
|-------------------------------|-----------|
| Per Annum of Commission ..... | \$ 500.00 |
|-------------------------------|-----------|

#### Item 2. General Administration:

##### A. Personal Service:

##### A-1. Salaries:

|                             |              |
|-----------------------------|--------------|
| Director .....              | \$ 10,494.00 |
| Finance Officer .....       | 8,250.00     |
| Secretary .....             | 4,593.00     |
| Asst. Finance Officer ..... | 5,500.00     |
| Field Consultant .....      | 5,561.00     |
| Clerk .....                 | 3,498.00     |
| Stenographer (P. T.) .....  | 770.00       |

|                  |        |
|------------------|--------|
| A-2. Wages ..... | 319.00 |
|------------------|--------|

##### B. Contractual Services:

|                                 |           |
|---------------------------------|-----------|
| B-2. Travel .....               | 10,000.00 |
| B-3. Telegraph and Telephone .. | 2,500.00  |
| B-4. Repairs .....              | 500.00    |

|   |                 |
|---|-----------------|
| C. Supplies:  |                 |
| C-4. Office Supplies .....                              | 4,000.00        |
| C-8. Motor Vehicle Supplies ...                         | 550.00          |
| G. Equipment:   |                 |
| G-1. Office Equipment .....                             | 1,000.00        |
| <hr/>   |                 |
| Total (Item 2) General Administration .....             | \$ 57,535.00    |
| Item 3. Transportation:                                 |                 |
| D. Fixed Charges and Contributions:                     |                 |
| D-4. Other Fixed Charges:                               |                 |
| School Bus Operating Expense                            | \$ 6,227,153.75 |
| <hr/>   |                 |
| Total (Item 3) Transportation ...                       | \$ 6,227,153.75 |
| Item 4. School Buildings:                               |                 |
| A. Personal Service:                                    |                 |
| A-1. <i>Salaries</i> :                                  |                 |
| Supervisor, Schoolhouse Planning .....                  | \$ 8,000.00     |
| Assistant Supervisor, Schoolhouse Planning .....        | 6,982.00        |
| Secretary .....   | 3,600.00        |
| D. Fixed Charges and Contributions:                     |                 |
| D-4. Other Fixed Charges:                               |                 |
| County Surveys .....                                    | 2,500.00        |
| School Building Aid .....                               | 12,561,120.00   |
| <hr/>   |                 |
| Total (Item 4) School Buildings ..                      | 12,582,202.00   |
| Item 5. Debt Service:                                   |                 |
| D. Fixed Charges and Contributions:                     |                 |
| D-4. Other Fixed Charges:                               |                 |
| State School Bonds:                                     |                 |
| Principal .....   | \$ 1,885,000.00 |
| Interest .....  | 213,825.00      |
| <hr/>   |                 |
| Total (Item 5) Debt Service .....                       | \$ 2,098,825.00 |
| <hr/>   |                 |
| GRAND TOTAL (State Educational Finance Commission) .... | \$20,966,215.75 |

*Provided, That,* notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1963-64 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1962-63, as determined by the State Department of Education, multiplied by Twenty (\$20.00) Dollars. *Provided, That* in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

*Provided, Further, That* principal and interest payments due on any school bonds, the proceeds of which have not been allocated to the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

*Provided, Further, That* the State Educational Finance Commission is hereby authorized to sell used school buses that may be determined to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

*Provided, Further, That* for the school year 1963-64 student school bus drivers shall be paid at the rate of \$35.00 per month, and adult drivers at not exceeding \$60.00 per month from State Funds. *Provided, further,* that the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

*Provided, Further, That* a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded \$25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

*Provided, Further, That* the State Educational Finance Commission is directed to charge against the responsible local operating unit the cost of any gasoline and oil delivered to school tanks and

not properly accounted for, after making reasonable allowance for evaporation.

*Provided, Further,* That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

*Provided, Further,* That any balance on June 30, 1963 in the appropriation for School Bus Operating Expense may be carried forward and expended for the purpose of Shop Construction and Equipment in the fiscal year 1963-64.

**SECTION 24**

S. C. Educational Television Commission

|  |                 |
|--|-----------------|
| Personal Service .....                                     | \$ 388,700.00   |
| Contractual Services .....                                 | 910,286.00      |
| Supplies .....   | 58,320.00       |
| Fixed Charges and Contributions .....                      | 27,800.00       |
| Equipment .....  | 76,400.00       |
| Contingencies .....  | 32,000.00       |
| Educational Television Service<br>to Kershaw High School.. | 8,340.00        |
| <hr/>  |                 |
| TOTAL (S. C. Educational Television<br>Comm.) .....        | \$ 1,501,846.00 |

*Provided,* that the sum of \$50,000.00 included in the appropriation for this Section, if so much be necessary, shall be used for the operation of the Charleston and Greenville broadcasting stations donated to the State.

**SECTION 25**

South Carolina Library Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

|                                 |             |
|---------------------------------|-------------|
| Director .....                  | \$ 6,750.00 |
| Technical Service Librarian ... | 5,500.00    |
| Field Service Librarian .....   | 5,500.00    |
| Library Assistant .....         | 3,630.00    |
| Secretary-Bookkeeper .....      | 3,264.00    |

|                                     |           |               |
|-------------------------------------|-----------|---------------|
| Catalog Assistant .....             | 3,264.00  |               |
| Accession Assistant .....           | 3,103.00  |               |
| A-2. Wages:                         |           |               |
| Janitor .....                       | 282.00    |               |
| A-3. Special Payments:              |           |               |
| Travel and Per Diem of Board        |           |               |
| Members .....                       | 250.00    |               |
| B. Contractual Services:            |           |               |
| B-1. Freight, Express and De-       |           |               |
| liveries .....                      | 100.00    |               |
| B-2. Travel .....                   | 3,000.00  |               |
| B-3. Telegraph and Telephone ..     | 400.00    |               |
| B-4. Repairs .....                  | 200.00    |               |
| B-5. Printing and Advertising ..    | 300.00    |               |
| C. Supplies:                        |           |               |
| C-4. Office Supplies .....          | 1,200.00  |               |
| C-8. Motor Vehicle Supplies ....    | 400.00    |               |
| D. Fixed Charges and Contributions: |           |               |
| D-2. Insurance .....                | 300.00    |               |
| D-3. Contributions (State Aid) ..   | 65,000.00 |               |
| Service to the Blind .....          | 8,610.00  |               |
| G. Equipment:                       |           |               |
| G-1. Office Equipment .....         | 400.00    |               |
| G-7. Educational Equipment          |           |               |
| (Books for State Aid) ...           | 5,000.00  |               |
| <hr/>                               |           |               |
| TOTAL (South Carolina Library       |           |               |
| Board) .....                        |           | \$ 116,453.00 |

**SECTION 26**

## South Carolina Schoolbook Commission

## For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                               |             |
|-------------------------------|-------------|
| Director and Executive Secre- |             |
| tary .....                    | \$ 8,558.00 |
| Assistant Director .....      | 6,724.00    |
| Secretary .....               | 4,168.00    |
| Bookkeepers (3) .....         | 11,252.00   |

|                                     |           |           |
|-------------------------------------|-----------|-----------|
| Stenographer-Bookkeeper . . . .     | 3,777.00  |           |
| Auditors (4) . . . . .              | 26,279.00 |           |
| A-3. Special Payments:              |           |           |
| Per Diem of Board . . . . .         | 500.00    |           |
| Clerical Help . . . . .             | 2,000.00  |           |
| B. Contractual Services:            |           |           |
| B-1. Freight, Express and De-       |           |           |
| liveries . . . . .                  | 1,800.00  |           |
| B-2. Travel . . . . .               | 6,400.00  |           |
| B-3. Telegraph and Telephone . . .  | 650.00    |           |
| B-4. Repairs . . . . .              | 350.00    |           |
| B-5. Printing and Advertising . .   | 75.00     |           |
| C. Supplies:                        |           |           |
| C-4. Office Supplies . . . . .      | 5,400.00  |           |
| D. Fixed Charges and Contributions: |           |           |
| D-2. Insurance . . . . .            | 260.00    |           |
| D-3. Contributions . . . . .        | 20.00     |           |
| G. Equipment:                       |           |           |
| G-1. Office Equipment . . . . .     | 700.00    |           |
| G-4. Motor Vehicles and Equip-      |           |           |
| ment . . . . .                      | 75.00     |           |
| <hr/>                               |           |           |
| TOTAL (South Carolina Schoolbook    |           |           |
| Commission) . . . . .               | \$        | 78,988.00 |

*Provided*, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair, testing and redistribution of used textbooks.

## SECTION 27

### Advisory Committee for Technical Training

|                                 |    |              |  |
|---------------------------------|----|--------------|--|
| Administration . . . . .        | \$ | 60,265.00    |  |
| Technical Education Centers . . |    | 1,233,780.00 |  |
| Technical Services . . . . .    |    | 27,500.00    |  |
| Special Schools . . . . .       |    | 274,250.00   |  |
| <hr/>                           |    |              |  |
| Total (Advisory Committee for   |    |              |  |
| Technical Training) . . . . .   | \$ | 1,595,795.00 |  |

**SECTION 28**

## Archives Department

## Item 1. For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                                |              |
|--------------------------------|--------------|
| Director .....                 | \$ 10,150.00 |
| Assistant Director .....       | 7,350.00     |
| Secretary and Bookkeeper ...   | 5,000.00     |
| Librarian .....                | 3,900.00     |
| Museum Curator .....           | 3,500.00     |
| Editorial Assistants (2) ..... | 8,707.00     |
| Archivist .....                | 6,000.00     |

## A-2. Wages:

|  |           |
|--|-----------|
| Superintendent of Building and<br>Grounds .....    | 4,500.00  |
| Janitor .....                                      | 2,500.00  |
| Document Repairs .....                             | 10,225.00 |
| Photographer .....                                 | 3,700.00  |
| Historical Marker and Research<br>Specialist ..... | 5,000.00  |

## A-3. Special Payments:

|                           |          |
|---------------------------|----------|
| Clerical Help .....       | 6,700.00 |
| Travel and Per Diem ..... | 650.00   |

## B. Contractual Services:

|   |          |
|---|----------|
| B-1. Freight, Express and De-<br>liveries .....           | 250.00   |
| B-2. Travel .....   | 750.00   |
| B-3. Telegraph and Telephone ..                           | 1,000.00 |
| B-4. Repairs .....  | 5,000.00 |
| B-5. Printing and Editing His-<br>torical Documents ..... | 6,000.00 |
| B-6. Water, Heat, Light and<br>Power .....                | 7,500.00 |

## C. Supplies:

|  |          |
|--|----------|
| C-4. Office Supplies .....                               | 1,500.00 |
| C-5. Household, Laundry and<br>Janitorial Supplies ..... | 700.00   |
| C-8. Motor Vehicle Supplies ...                          | 200.00   |
| C-9. Agricultural Supplies .....                         | 100.00   |

## D. Fixed Charges and Contributions:

D-2. Insurance ..... 600.00

## G. Equipment:

G-1. Office Equipment ..... 1,000.00

G-4. Motor Vehicles and Equip-  
ment ..... 2,850.00

G-7. Educational Equipment .... 1,800.00

---

Total (Item 1) Administration .... \$ 107,132.00

## Item 2. Calhoun Papers Project:

## For Administration:

## A. Personal Service:

A-1. *Salaries:*

Regular Staff .....\$ 15,000.00

## B. Contractual Services:

B-2. Travel ..... 300.00

B-4. Repairs ..... 50.00

## C. Supplies:

C-4. Office Supplies ..... 150.00

## G. Equipment:

G-7. Educational Equipment .... 150.00

---

Total (Item 2) Calhoun Papers  
Project ..... \$ 15,650.00

---

GRAND TOTAL (Archives Depart-  
ment) ..... \$ 122,782.00

*Provided,* That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College; to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to each former member of the Commission living in South Carolina.

*Provided, Further,* That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

**SECTION 29**

## State Library

For Administration:

## A. Personal Service:

A-1. *Salaries:*

Librarian .....\$ 5,629.00

A-2. *Wages:*

Porter Service ..... 2,200.00

Laborers ..... 317.60

A-3. *Special Payments:*

Clerical Help ..... 317.60

## B. Contractual Services:

## B-1. Freight, Express and De-

liveries ..... 500.00

B-2. Travel ..... 250.00

B-3. Telegraph and Telephone .. 200.00

B-4. Repairs ..... 700.00

## B-5. Printing, Advertising and

Binding ..... 250.00

## C. Supplies:

C-4. Office Supplies ..... 500.00

## D. Fixed Charges and Contributions:

D-2. Insurance ..... 10.00

## D-3. Contributions (Association

Dues) ..... 24.50

## G. Equipment:

G-1. Office Equipment ..... 200.00

G-7. Educational Equipment .... 500.00

G-8. Other Equipment .. ..... 50.00

|                             |    |           |
|-----------------------------|----|-----------|
| TOTAL (State Library) ..... | \$ | 11,648.70 |
|-----------------------------|----|-----------|

**SECTION 30**

## Confederate Relic Room

For Administration:

## A. Personal Service:

A-1. *Salaries:*

Custodian .....\$ 3,335.00

A-3. *Special Payments:*

Clerical Help ..... 140.00

|                                   |             |
|-----------------------------------|-------------|
| B. Contractual Services:          |             |
| B-3. Telegraph and Telephone ..   | 185.00      |
| B-4. Repairs .....                | 60.00       |
| C. Supplies .....                 | 40.00       |
| G. Equipment:                     |             |
| G-1. Office Equipment .....       | 40.00       |
| <hr/>                             |             |
| TOTAL (Confederate Relic Room) .. | \$ 3,800.00 |

**SECTION 31**

## State Department of Public Welfare

|   |                 |
|---|-----------------|
| Item 1. Administration .....  | \$ 1,600,000.00 |
| Item 2. Cash Assistance:  |                 |
| (a) Old Age .....   | \$ 2,785,000.00 |
| (b) Blind .....   | 300,000.00      |
| (c) Dependent Children .....  | 1,160,000.00    |
| (d) Aid to Permanently and<br>Totally Disabled .....                | 1,021,000.00    |
| (e) Foster Home Care .....  | 400,000.00      |
| <hr/>   |                 |
| Total (Item 2) Cash Assistance ...                                  | \$ 5,666,000.00 |
| Item 3. General Relief .....  | \$ 425,000.00   |
| Item 4. Miscellaneous:  |                 |
| (a) Eye Examination and<br>Treatment of and Training<br>Blind ..... | \$ 170,000.00   |
| Item 5. Care of Persons Transferred<br>from Confederate Home ..     | \$ 5,000.00     |
| <hr/>   |                 |
| TOTAL (State Department of Public<br>Welfare) .....                 | \$ 7,866,000.00 |

*Provided,* That any balances of appropriations for this Department, which are unexpended on June 30, 1963, may be carried forward and expended during the fiscal year 1963-64 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department.

*Provided, Further,* That the basis of monthly benefit payments during the year 1962-63 in the old age category shall be maintained during the year 1963-64.

*Provided, Further,* That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

### SECTION 32

#### South Carolina Mental Health Commission

##### Item 1. Administrative Division:

##### A. Personal Service:

##### A-1. Salaries:

|                       |              |
|-----------------------|--------------|
| Director .....        | \$ 14,000.00 |
| Secretary .....       | 4,272.00     |
| Fiscal Agent .....    | 5,418.00     |
| Bookkeeper .....      | 3,501.00     |
| Statistician .....    | 5,284.00     |
| Supervisor—Tabulating |              |

|                             |          |
|-----------------------------|----------|
| Machines .....              | 4,602.00 |
| Punch Machine Operators (2) | 6,669.00 |
| Stenographer .....          | 4,001.00 |

|                             |          |
|-----------------------------|----------|
| A-3. Special Payments ..... | 1,000.00 |
|-----------------------------|----------|

##### B. Contractual Services:

|                                  |          |
|----------------------------------|----------|
| B-2. Travel .....                | 3,000.00 |
| B-3. Telegraph and Telephone ..  | 3,000.00 |
| B-4. Repairs .....               | 4,000.00 |
| B-5. Printing and Advertising .. | 100.00   |
| B-6. Water, Heat, Light and      |          |
| Power .....                      | 750.00   |
| B-7. Other Contractual Services. | 2,520.00 |

##### C. Supplies:

|                                 |          |
|---------------------------------|----------|
| C-2. Fuel Supplies .....        | 650.00   |
| C-4. Office Supplies .....      | 3,000.00 |
| C-7. Educational Supplies ..... | 100.00   |
| C-8. Motor Vehicle Supplies ... | 500.00   |

##### D. Fixed Charges and Contributions:

|                                |        |
|--------------------------------|--------|
| D-2. Insurance .....           | 140.00 |
| D-4. Other Fixed Charges ..... | 150.00 |

##### G. Equipment:

|                             |        |
|-----------------------------|--------|
| G-1. Office Equipment ..... | 750.00 |
|-----------------------------|--------|

##### Total (Item 1) Administrative

|                |              |
|----------------|--------------|
| Division ..... | \$ 67,407.00 |
|----------------|--------------|

## Item 2. Mental Hygiene Division:

Operation of Clinics ..... \$ 355,979.53

## TOTAL (S. C. Mental Health

Commission) ..... \$ 423,386.53

**SECTION 33**

## South Carolina State Hospital

|  |              |
|--|--------------|
| Superintendence .....                        | \$ 38,300.00 |
| Administrative Services .....                | 4,359,871.00 |
| Research and Training .....                  | 190,500.00   |
| Professional Services .....                  | 3,908,000.00 |
| Vocational Rehabilitation Proj-<br>ect ..... | 77,600.00    |

TOTAL (S. C. State Hospital) .... \$ 8,574,271.00

*Provided*, That upon approval of the State Budget and Control Board, transfers may be made from the appropriation of the State Hospital to that of the Pineland Training School, or vice versa.

*Provided, Further*, That the services of Dr. George Benet, Chief Surgeon at the State Hospital, may be continued regardless of the South Carolina Retirement laws relating to retirement age.

**SECTION 34**

## Pineland Training School

|                               |             |
|-------------------------------|-------------|
| Superintendence .....         | \$ 1,560.00 |
| Administrative Services ..... | 236,796.00  |
| Hospital Services .....       | 204,644.00  |
| Training School .....         | 32,071.00   |
| Evaluation Grant .....        | 32,000.00   |

TOTAL (Pineland Training School) ..... \$ 507,071.00

**SECTION 35**

## Whitten Village

|                               |                 |
|-------------------------------|-----------------|
| Personal Service .....        | \$ 1,779,846.00 |
| Other Operation Expense ..... | 955,640.50      |

TOTAL (Whitten Village) ..... \$ 2,735,486.50

*Provided*, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

### SECTION 36

#### South Carolina Sanatorium

|                               |              |
|-------------------------------|--------------|
| Administration .....          | \$ 61,000.00 |
| Care of Patients .....        | 557,200.00   |
| Education—Child Patients .... | 5,500.00     |
| Dietary .....                 | 242,500.00   |
| Plant Maintenance .....       | 156,000.00   |
| Laundry .....                 | 21,600.00    |
| Dairy and Farm .....          | 61,000.00    |
| County Sanatoria .....        | 90,000.00    |

---

TOTAL (South Carolina Sanatorium) \$ 1,194,800.00

*Provided*, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Greenville and Spartanburg Counties, \$1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and \$1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina Sanatorium from such county: *Provided, However*, That all payments made by the State under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

*Provided, Further*, That applicants for admission to this institution shall be referred to the State Department of Public Welfare for investigation as to their ability to pay for treatment at the institution and such applicants who are found able to pay shall be charged an appropriate fee for such services.

**SECTION 37**

## S. C. Alcoholic Center

|   |               |
|---|---------------|
| Operation and Maintenance of<br>Treatment and Rehabilitation Center ..... | \$ 116,282.42 |
| Administration and Adult Education .....                                  | 48,225.00     |

TOTAL (S. C. Alcoholic Center) . . . \$ 164,507.42

*Provided*, That all revenues received from patient care may be retained and used for operation of the institution.

*Provided, Further*, That any balances of appropriations for the S. C. Alcoholic Center for the year 1962-63 may be carried forward and expended for the same purposes in 1963-64.

**SECTION 38**

## Children's Bureau

## For Administration:

## A. Personal Service:

A-1. *Salaries*:

|                                |             |
|--------------------------------|-------------|
| Supervisor .....               | \$ 7,150.00 |
| Director of Case Work .....    | 6,700.00    |
| Field Workers .....            | 37,860.00   |
| Secretary .....                | 3,850.00    |
| Office Manager—Bookkeeper .    | 4,833.00    |
| Stenographer .....             | 3,372.00    |
| Stenographer and File Clerk .. | 3,137.00    |

## A-3. Special Payments:

|  |           |
|--|-----------|
| Per Diem and Travel—Board<br>of Directors .....  | 1,500.00  |
| Professional Fees .....                          | 3,500.00  |
| Maternity and Hospital Care..                    | 10,000.00 |
| In Service Training—Educa-<br>tional Leave ..... | 3,000.00  |

## B. Contractual Services:

## B-2. Travel:

|  |           |
|--|-----------|
| For Employees .....                            | 12,000.00 |
| For Children (Care and Sub-<br>sistence) ..... | 14,000.00 |

|                                     |          |               |
|-------------------------------------|----------|---------------|
| B-3. Telegraph and Telephone...     | 1,000.00 |               |
| B-4. Repairs .....                  | 300.00   |               |
| B-5. Printing and Advertising...    | 300.00   |               |
| C. Supplies:                        |          |               |
| C-4. Office Supplies .....          | 1,000.00 |               |
| C-6. Medical Supplies .....         | 300.00   |               |
| C-7. Educational Supplies .....     | 50.00    |               |
| C-10. Clothing and Dry Goods..      | 750.00   |               |
| D. Fixed Charges and Contributions: |          |               |
| D-3. Contributions .....            | 175.00   |               |
| G. Equipment:                       |          |               |
| G-1. Office Equipment .....         | 500.00   |               |
| <hr/>                               |          |               |
| TOTAL (Children's Bureau) .....     |          | \$ 115,277.00 |

### SECTION 39

#### South Carolina Probation, Parole and Pardon Board

##### For Administration:

##### A. Personal Service:

##### A-1. *Salaries:*

|   |              |
|---|--------------|
| Director .....                                | \$ 10,285.00 |
| Supervisor of Paroles .....                   | 9,075.00     |
| Assistant Director .....                      | 7,260.00     |
| Field Supervisor .....                        | 6,388.00     |
| Fugitive Officer .....                        | 6,388.00     |
| Secretary .....                               | 3,993.00     |
| Stenographer .....                            | 3,433.00     |
| Steno-File Clerk No. 1 .....                  | 3,433.00     |
| Steno-File Clerk No. 2 .....                  | 3,069.00     |
| Stenographers for Probation<br>Officers ..... | 72,014.00    |
| Probation Officers .....                      | 273,544.00   |

##### A-3. Special Payments:

|                         |          |
|-------------------------|----------|
| Per Diem of Board ..... | 2,000.00 |
|-------------------------|----------|

##### B. Contractual Services:

|                                |           |
|--------------------------------|-----------|
| B-2. Travel .....              | 54,500.00 |
| B-3. Telegraph and Telephone.. | 2,000.00  |
| B-4. Repairs .....             | 300.00    |

##### C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 4,200.00 |
|----------------------------|----------|

## D. Fixed Charges and Contributions:

D-2. Insurance ..... 200.00

D-3. Contributions (Association  
Dues) ..... 100.00

## G. Equipment:

G-1. Office Equipment ..... 1,000.00

---

TOTAL (South Carolina Probation,  
Parole and Pardon Board) \$ 463,182.00
**SECTION 40**

## Department of Corrections

|   |              |
|---|--------------|
| Administration .....                    | \$ 94,232.60 |
| Hospital .....                          | 82,500.00    |
| Religion, Education and Athletics ..... | 28,640.00    |
| General Plant .....                     | 826,655.10   |
| Women's Correctional Institution .....  | 43,100.00    |
| Wateree River—Security .....            | 98,850.00    |
| Wateree River—Farming .....             | 219,250.00   |
| Broad River—Security .....              | 32,100.00    |
| Broad River—Farming .....               | 57,850.00    |
| Central Laundry .....                   | 144,200.00   |

---

Total (Department of Corrections) . \$ 1,627,377.70

*Provided,* That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Department of Corrections.

*Provided, Further,* That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Department of Corrections for safekeeping for the first 90 days of such safekeeping, when a proper showing is made by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-five (\$1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

*Provided, Further,* That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement.

*Provided, Further,* That revenue derived wholly from the sale of farm products may be retained by the Department of Corrections and used in its operation.

*Provided, Further,* Whenever a convict shall be discharged from the Department of Corrections the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and transportation from the Department of Corrections to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

## SECTION 41

### State Industrial Schools' Board

#### Item 1. For Administration:

##### A. Personal Service:

##### A-3. Special Payments:

Per Diem and Expense of Board

Members ..... \$ 3,000.00

#### Item 2. Juvenile Placement Bureau:

##### A. Personal Service:

##### A-1. Salaries:

Director .....\$ 7,439.00

Assistant Director ..... 5,720.00

Secretary ..... 3,591.00

Workers ..... 19,216.00

##### B. Contractual Services:

B-2. Travel ..... 13,000.00

B-3. Telegraph and Telephone .. 400.00

B-5. Printing and Advertising .. 50.00

##### C. Supplies:

C-4. Office Supplies ..... 550.00

##### D. Fixed Charges and Contributions:

D-1. Rent ..... 600.00

D-2. Insurance ..... 30.00

##### D-3. Contributions—Association

Dues ..... 35.00

## G. Equipment:

G-1. Office Equipment ..... 100.00

## Total (Item 2) Juvenile Placement

Bureau ..... \$ 50,731.00

## Total (State Industrial Schools'

Board) ..... \$ 53,731.00

**SECTION 42**

## South Carolina School for Boys

Personal Service ..... \$ 179,750.00

Contractual Services ..... 14,175.00

Supplies ..... 77,108.00

Fixed Charges ..... 5,540.00

Equipment ..... 11,825.00

Vocational Training ..... 36,235.00

TOTAL (S. C. School for Boys) .... \$ 324,633.00

*Provided,* That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

**SECTION 43**

## Industrial School for Girls

Personal Service ..... \$ 80,518.00

Contractual Services ..... 11,400.00

Supplies ..... 47,400.00

Fixed Charges ..... 2,570.00

Equipment ..... 10,650.00

TOTAL (Industrial School for Girls) ..... \$ 152,538.00

*Provided,* that revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

**SECTION 44**

## John G. Richards Industrial School

|                            |               |
|----------------------------|---------------|
| Personal Service .....     | \$ 124,320.00 |
| Contractual Services ..... | 13,380.00     |
| Supplies .....             | 63,100.00     |
| Fixed Charges .....        | 4,300.00      |
| Equipment .....            | 15,750.00     |
| Vocational Training .....  | 26,100.00     |

TOTAL (John G. Richards Industrial  
School) ..... \$ 246,950.00

*Provided*, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

**SECTION 45**

## Industrial School for Negro Girls

|                            |              |
|----------------------------|--------------|
| Personal Service .....     | \$ 55,100.00 |
| Contractual Services ..... | 6,350.00     |
| Supplies .....             | 30,655.00    |
| Fixed Charges .....        | 745.00       |
| Equipment .....            | 5,100.00     |

TOTAL (Industrial School for Negro  
Girls) ..... \$ 97,950.00

*Provided*, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

**SECTION 46**

## State Budget and Control Board

## Section 1. Finance Division:

## A. Personal Service:

A-1. *Salaries*:

|                          |              |
|--------------------------|--------------|
| State Auditor .....      | \$ 15,600.00 |
| Special Assistant .....  | 12,000.00    |
| Assistant Auditors ..... | 54,720.00    |

|  |            |               |
|--|------------|---------------|
| Secretary .....                                | 5,260.00   |               |
| Stenographer-Clerk .....                       | 4,360.00   |               |
| A-2. Wages:                                    |            |               |
| Porter Service .....                           | 1,140.00   |               |
| A-3. Special Payments:                         |            |               |
| Special Payments-Clerical Help .....           | 6,650.00   |               |
| Departmental Surveys .....                     | 60,000.00  |               |
| Organizational Unit .....                      | 40,000.00  |               |
| Engineering Services .....                     | 26,080.00  |               |
| B. Contractual Services:                       |            |               |
| B-2. Travel .....                              | 6,000.00   |               |
| B-3. Telegraph and Telephone ..                | 1,500.00   |               |
| B-4. Repairs .....                             | 1,000.00   |               |
| C. Supplies:                                   |            |               |
| C-4. Office Supplies .....                     | 2,300.00   |               |
| C-8. Motor Vehicle Supplies ...                | 500.00     |               |
| D. Fixed Charges and Contributions:            |            |               |
| D-1. Rents .....                               | 1,525.00   |               |
| D-2. Insurance .....                           | 700.00     |               |
| D-3. Contributions (Association<br>Dues) ..... | 50.00      |               |
| E. Civil Contingent Fund .....                 | 100,000.00 |               |
| G. Equipment:                                  |            |               |
| G-1. Office Equipment .....                    | 300.00     |               |
| TOTAL Section 1 (Finance Division)             |            | \$ 339,685.00 |

Section 2. Division of Sinking Funds  
and Property:

Item 1. Administration:

A. Personal Service:

A-1. Salaries:

|                              |              |
|------------------------------|--------------|
| Director .....               | \$ 13,500.00 |
| Special Agents .....         | 20,199.00    |
| Secretary and Bond Clerk ... | 4,830.00     |
| Insurance Clerk .....        | 4,130.00     |
| Clerk and Bookkeeper .....   | 4,410.00     |
| Steno-Clerk .....            | 3,550.00     |
| Steno-Clerk .....            | 3,550.00     |

A-3. Special Payments:

|                     |          |
|---------------------|----------|
| Clerical Help ..... | 1,300.00 |
|---------------------|----------|

|  |              |
|--|--------------|
| B. Contractual Services:                         |              |
| B-2. Travel .....                                | 1,250.00     |
| B-3. Telegraph and Telephone ..                  | 1,650.00     |
| B-4. Repairs .....                               | 600.00       |
| B-5. Printing and Advertising ..                 | 25.00        |
| C. Supplies:                                     |              |
| C-4. Office Supplies .....                       | 1,600.00     |
| C-8. Motor Vehicle Supplies ...                  | 1,000.00     |
| G. Equipment:                                    |              |
| G-1. Office Equipment .....                      | 500.00       |
| <hr/>  |              |
| Total (Item 1) Administration ...                | \$ 62,094.00 |
| Item 2. State Buildings and Grounds:             |              |
| A. Personal Service:                             |              |
| A-1. <i>Salaries:</i>                            |              |
| State Electrician .....                          | \$ 6,996.00  |
| Asst. Electrician .....                          | 5,655.00     |
| Asst. Electrician .....                          | 4,200.00     |
| Superintendent and Engineer .                    | 7,000.00     |
| Asst. Superintendent (Office<br>Buildings) ..... | 4,664.00     |
| Mechanic .....                                   | 3,332.00     |
| Gardener .....                                   | 4,000.00     |
| Day Policeman .....                              | 5,625.00     |
| Night Watchmen .....                             | 21,798.00    |
| Maintenance Men .....                            | 9,015.00     |
| A-2. <i>Wages:</i>                               |              |
| Janitors and Cleaners .....                      | 86,556.00    |
| Janitress—State House .....                      | 973.00       |
| Elevator Operators .....                         | 11,473.00    |
| Window Washers .....                             | 1,320.00     |
| Laborers .....                                   | 6,707.00     |
| A-3. <i>Special Payments:</i>                    |              |
| Temporary Help .....                             | 200.00       |
| Horticulturist (P. T.) .....                     | 2,400.00     |
| B. Contractual Services:                         |              |
| B-1. Freight, Express and De-<br>liveries .....  | 100.00       |
| B-2. Travel .....                                | 385.00       |
| B-3. Telegraph and Telephone..                   | 547.00       |

|  |             |               |
|--|-------------|---------------|
| B-4. Repairs—General .....                                       | 30,000.00   |               |
| B-6. Water, Heat, Light and<br>Power .....                       | 150,000.00  |               |
| C. Supplies:   |             |               |
| C-2. Fuel and Refrigeration<br>Supplies .....                    | 15,000.00   |               |
| C-4. Office Supplies .....                                       | 420.00      |               |
| C-5. Household, Laundry and<br>Janitorial Supplies .....         | 6,200.00    |               |
| C-9. Agricultural Supplies .....                                 | 2,250.00    |               |
| C-10. Clothing and Dry Goods ..                                  | 1,000.00    |               |
| C-11. Maintenance Supplies ....                                  | 6,800.00    |               |
| C-12. Other Supplies .....                                       | 12,500.00   |               |
| D. Fixed Charges and Contributions:                              |             |               |
| D-1. Rents .....   | 12.00       |               |
| D-2. Insurance .....   | 5,582.00    |               |
| D-4. Amortization of Office<br>Building Debt .....               | 201,375.00  |               |
| G. Equipment .....   | 5,000.00    |               |
| <hr/>  |             |               |
| Total (Item 2) State Buildings and<br>Grounds .....              |             | \$ 619,085.00 |
| <hr/>  |             |               |
| Total (Section 2) Division of Sink-<br>ing Funds and Property .. |             | \$ 681,179.00 |
| Section 3. Division of Office Supplies<br>and Printing:          |             |               |
| A. Personal Service:   |             |               |
| A-1. <i>Salaries:</i>  |             |               |
| Director .....   | \$ 6,996.00 |               |
| Secretary .....  | 4,481.40    |               |
| A-2. Wages:  |             |               |
| Delivery Service .....   | 2,080.00    |               |
| A-3. Special Payments:   |             |               |
| Clerical Help .....  | 270.00      |               |
| B. Contractual Services:   |             |               |
| B-2. Travel .....  | 300.00      |               |
| B-3. Telegraph and Telephone ..                                  | 350.00      |               |

## B-5. Printing and Advertising:

|                                  |            |
|----------------------------------|------------|
| Printing State Documents . . . . | 175,000.00 |
| University Library—Exchange      | 1,000.00   |

## C. Supplies:

|                                |        |
|--------------------------------|--------|
| C-4. Office Supplies . . . . . | 300.00 |
|--------------------------------|--------|

## D. Fixed Charges and Contributions:

|                                 |       |
|---------------------------------|-------|
| D-1. Rents (Box Rent) . . . . . | 12.00 |
|---------------------------------|-------|

## G. Equipment:

|                                 |        |
|---------------------------------|--------|
| G-1. Office Equipment . . . . . | 100.00 |
|---------------------------------|--------|

Total (Section 3) Division of Office  
Supplies and Printing . . . .

\$ 190,889.40

## Section 4. Division of Purchasing:

## Item 1. Purchasing:

## A. Personal Service:

A-1. *Salaries*:

|  |              |
|--|--------------|
| Director . . . . .                             | \$ 10,005.00 |
| Assistant Director . . . . .                   | 8,337.00     |
| Purchasing Assistants . . . . .                | 12,000.00    |
| Secretary . . . . .                            | 5,005.00     |
| Clerks, Stenographers and<br>Typists . . . . . | 13,758.00    |

## B. Contractual Services:

|   |          |
|---|----------|
| B-1. Freight, Express and De-<br>liveries . . . . . | 50.00    |
| B-2. Travel . . . . .                               | 600.00   |
| B-3. Telegraph and Telephone . .                    | 1,400.00 |
| B-4. Repairs . . . . .                              | 300.00   |
| B-5. Printing and Advertising . .                   | 600.00   |

## C. Supplies:

|                                   |          |
|-----------------------------------|----------|
| C-4. Office Supplies . . . . .    | 5,000.00 |
| C-8. Motor Vehicle Supplies . . . | 600.00   |

## D. Fixed Charges and Contributions:

|                                 |        |
|---------------------------------|--------|
| D-1. Rents . . . . .            | 24.00  |
| D-2. Insurance . . . . .        | 115.00 |
| D-3. Contributions (Assn. Dues) | 100.00 |

## G. Equipment:

|                                 |        |
|---------------------------------|--------|
| G-1. Office Equipment . . . . . | 500.00 |
|---------------------------------|--------|

Total (Item 1) Purchasing . . . . .

\$ 58,394.00

## Item 2. Surplus Property:

## A. Personal Service:

A-1. *Salaries:*

|                        |             |
|------------------------|-------------|
| Director .....         | \$ 9,171.00 |
| Field Agents (2) ..... | 12,921.00   |
| Secretary .....        | 4,002.00    |
| Steno-Clerk .....      | 3,335.00    |

## B. Contractual Services:

|                                 |          |
|---------------------------------|----------|
| B-2. Travel .....               | 3,500.00 |
| B-3. Telegraph and Telephone .. | 750.00   |
| B-4. Repairs .....              | 200.00   |

## C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 1,000.00 |
|----------------------------|----------|

## D. Fixed Charges and Contributions:

|  |       |
|--|-------|
| D-3. Contributions (Association<br>Dues) ..... | 50.00 |
|--|-------|

|                                    |              |
|------------------------------------|--------------|
| Total (Item 2) Surplus Property... | \$ 34,929.00 |
|------------------------------------|--------------|

|  |              |
|--|--------------|
| Total (Section 4) Division of Purchasing ..... | \$ 93,323.00 |
|--|--------------|

## Section 5. Retirement:

## A. Personal Service:

A-1. *Salaries:*

|                               |              |
|-------------------------------|--------------|
| Director .....                | \$ 10,494.00 |
| Assistant Director .....      | 6,875.00     |
| Secretary .....               | 4,644.64     |
| Chief Accountant .....        | 6,413.00     |
| General Bookkeeper—Supervisor | 5,005.00     |
| Junior Accountant .....       | 4,617.80     |
| Senior Bookkeeper .....       | 4,719.00     |
| Steno-Clerks .....            | 23,136.68    |
| Posting Machine Operators (4) | 13,542.96    |
| Register Clerk .....          | 3,527.70     |
| Typist-Clerks .....           | 13,285.12    |
| Bookkeeper .....              | 3,430.90     |
| Senior Clerk .....            | 3,385.80     |
| Disbursement Clerk .....      | 3,385.80     |
| Junior Clerks (4) .....       | 10,044.03    |
| Retirement Clerk .....        | 3,385.80     |

|   |                 |
|---|-----------------|
| A-2. Wages:   |                 |
| Messenger-Janitor .....                                   | 1,778.27        |
| A-3. Special Payments and Clerical help:                  |                 |
| Actuary .....   | 10,000.00       |
| Medical Board .....                                       | 2,856.00        |
| Clerical Help .....                                       | 844.00          |
| B. Contractual Services:                                  |                 |
| B-2. Travel .....   | 2,000.00        |
| B-3. Telegraph and Telephone ..                           | 1,200.00        |
| B-4. Repairs .....  | 2,600.00        |
| B-7. Other .....  | 75.00           |
| C. Supplies:  |                 |
| C-4. Office Supplies .....                                | 7,000.00        |
| Postage .....   | 6,875.00        |
| C-8. Motor Vehicle Supplies ...                           | 750.00          |
| D. Fixed Charges and Contributions:                       |                 |
| D-1. Rents .....  | 3,925.80        |
| D-2. Insurance .....                                      | 600.00          |
| D-3. Contributions .....                                  | 95.00           |
| G. Equipment:   |                 |
| G-1. Office Equipment .....                               | 5,000.00        |
| Administration of S. C. Police Officers Retirement System | 33,700.00       |
| <hr/>   |                 |
| Total (Administration) .....                              | \$ 199,192.30   |
| State Employer Contribution:                              |                 |
| State Retirement System ....                              | 16,550,000.00   |
| State Police Officers Retirement System .....             | 232,000.00      |
| <hr/>   |                 |
| Total (State Employer Contribution)                       | 16,782,000.00   |
| <hr/>   |                 |
| Total (Section 5) Retirement ....                         | 16,981,192.30   |
| <hr/>   |                 |
| TOTAL (State Budget and Control Board) .....              | \$18,286,268.70 |

*Provided*, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further*, That the Civil Contingent Fund,

appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further,* That none of the Civil Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

*Provided,* That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1963-64, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

*Provided, Further,* That each department, commission, agency, and/or instrumentality of the State of South Carolina, whose employees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

*Provided, Further,* That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

*Provided, Further,* That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

*Provided, Further,* That the appropriation for Section 2, Item 1 of this section shall be paid from revenues of the various Sinking Funds.

*Provided, Further,* That the appropriation for the operation of the Surplus Property item of this section shall be paid from funds received for the sale of such surplus property.

*Provided, Further,* That the State Budget and Control Board is authorized and empowered to employ special agents to examine insurance risks carried by the said Board, and to perform any other

duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

*Provided, Further,* That the State Board of Health is authorized to continue the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. H. Grady Callison, Health Officer of the Anderson County Health Unit, Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, Dr. J. E. Brodie, Health Officer of the Lexington County Health Unit, and Dr. Roy D. Summer, Clinician, York County Health Unit, and the Board of Directors of the South Carolina Public Service Authority is authorized to continue the employment of the present general manager, notwithstanding the age requirement of the State Retirement System.

## SECTION 47

### Board of Health

#### Item 1. Administration:

##### Office of State Health Officer:

##### A. Personal Service:

##### A-1. *Salaries:*

|                                 |              |
|---------------------------------|--------------|
| State Health Officer .....      | \$ 16,500.00 |
| Asst. State Health Officer .... | 10,000.00    |
| Secretary II .....              | 5,741.00     |
| Secretary I .....               | 3,865.00     |
| Drug Inspector .....            | 9,049.00     |
| State Director of P. H. Nursing | 6,973.00     |

##### B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 4,200.00 |
|-------------------|----------|

#### Personnel:

##### A. Personal Service:

##### A-1. *Salaries:*

|                       |          |
|-----------------------|----------|
| Stenographer II ..... | 2,728.00 |
|-----------------------|----------|

#### Finance:

##### A. Personal Service:

##### A-1. *Salaries:*

|                        |          |
|------------------------|----------|
| Director .....         | 8,258.00 |
| Accountant III .....   | 6,585.00 |
| Stenographer III ..... | 4,275.00 |
| Clerk II .....         | 2,728.00 |

## Business Management:

## A. Personal Service:

A-1. *Salaries:*

|                          |          |
|--------------------------|----------|
| Clerk II .....           | 3,508.00 |
| Stenographer II .....    | 2,794.00 |
| Telephone Operator ..... | 3,508.00 |
| Porter .....             | 2,500.00 |
| Messenger .....          | 2,274.00 |

## Tabulating:

## A. Personal Service:

A-1. *Salaries:*

|                               |           |
|-------------------------------|-----------|
| Tabulating Unit Supervisor .. | 7,079.00  |
| Tabulating Operators II ..... | 12,641.00 |
| Tabulating Operators I .....  | 5,638.00  |

## Vital Statistics:

## A. Personal Service:

A-1. *Salaries:*

|                                |           |
|--------------------------------|-----------|
| Assistant State Registrar .... | 8,180.00  |
| Field Agent .....              | 7,244.00  |
| Stenographers III .....        | 11,616.00 |
| Stenographer II .....          | 3,508.00  |
| Clerks III .....               | 8,004.00  |
| Clerks II .....                | 40,666.00 |
| Clerks I .....                 | 27,874.00 |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 2,500.00 |
|-------------------|----------|

## Public Health Education:

## A. Personal Service:

A-1. *Salaries:*

|                                 |          |
|---------------------------------|----------|
| Health Education Consultant ..  | 6,896.00 |
| Visual Education Assistant .... | 3,865.00 |
| Vari-Typist .....               | 4,548.00 |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 2,500.00 |
|-------------------|----------|

## Hospital Construction:

## A. Personal Service:

A-1. *Salaries:*

|                        |          |
|------------------------|----------|
| Administrator .....    | 9,146.00 |
| Secretary I .....      | 4,509.00 |
| Stenographer III ..... | 3,378.00 |
| Stenographer II .....  | 2,728.00 |

|                                    |              |               |
|------------------------------------|--------------|---------------|
| Clerk III .....                    | 3,547.00     |               |
| Hospital Administrative Con-       |              |               |
| sultant .....                      | 7,794.00     |               |
| Architect .....                    | 8,132.00     |               |
| Construction Engineer .....        | 7,311.00     |               |
| Hospital Inspectors .....          | 12,750.00    |               |
| Accountant III .....               | 7,177.00     |               |
| A-3. Special Payments:             |              |               |
| Advisory Committee (Travel         |              |               |
| and Per Diem) .....                | 1,919.00     |               |
| B. Contractual Services:           |              |               |
| B-2. Travel .....                  | 7,140.00     |               |
| Merit System:                      |              |               |
| A. Personal Service:               |              |               |
| A-1. <i>Salaries:</i>              |              |               |
| Merit System Supervisor            |              |               |
| (P. T.) .....                      | 2,640.00     |               |
|                                    |              |               |
| Total Item 1 (Administration) .... |              | \$ 326,416.00 |
| Item 2. Disease Control:           |              |               |
| Office of Director:                |              |               |
| A. Personal Service:               |              |               |
| A-1. <i>Salaries:</i>              |              |               |
| Director .....                     | \$ 10,000.00 |               |
| Chief—Cancer, Heart, TB            |              |               |
| Services .....                     | 10,000.00    |               |
| Chief—VD Services (Crippled        |              |               |
| Children, and Rheumatic            |              |               |
| Heart Disease) .....               | 10,000.00    |               |
| Stenographer III .....             | 3,865.00     |               |
| Clerk III .....                    | 4,093.00     |               |
| Consultant Nurse—Special Field     | 5,506.00     |               |
| Veterinarian III (P. T.) .....     | 3,600.00     |               |
| B. Contractual Services:           |              |               |
| B-2. Travel .....                  | 5,400.00     |               |
| Tuberculosis Control:              |              |               |
| A. Personal Service:               |              |               |
| A-1. <i>Salaries:</i>              |              |               |
| Record Analyst .....               | 3,979.00     |               |
| Clerks III .....                   | 7,458.00     |               |
| Clerk II .....                     | 2,910.00     |               |

## Clinic Services (Tuberculosis) :

## A. Personal Service:

A-1. *Salaries:*

|                                |           |
|--------------------------------|-----------|
| Photofluorographic Operators . | 14,849.00 |
| Clerks II .....                | 5,911.00  |
| Maintenance Man I .....        | 3,248.00  |

## Venereal Disease Control:

## A. Personal Service:

A-1. *Salaries:*

|                   |          |
|-------------------|----------|
| Secretary I ..... | 4,093.00 |
| Clerk III .....   | 4,093.00 |
| Clerk I .....     | 3,444.00 |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 1,200.00 |
|-------------------|----------|

## Heart Disease Control:

## A. Personal Service:

A-1. *Salaries:*

|                       |          |
|-----------------------|----------|
| Stenographer II ..... | 3,142.00 |
|-----------------------|----------|

## Clinic Services (Heart) :

## A. Personal Service:

A-1. *Salaries:*

|                     |          |
|---------------------|----------|
| Clerk II .....      | 2,910.00 |
| P. H. Nurse I ..... | 3,638.00 |
| Dietitian .....     | 4,547.00 |

## A-3. Special Payments:

|                        |        |
|------------------------|--------|
| Clinician's Fees ..... | 250.00 |
|------------------------|--------|

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 2,500.00 |
|-------------------|----------|

## Cancer Control:

## A. Personal Service:

A-1. *Salaries:*

|                            |          |
|----------------------------|----------|
| Secretary I .....          | 3,728.00 |
| Public Relations Rep. .... | 4,823.00 |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 1,500.00 |
|-------------------|----------|

## Clinic Services (Cancer) :

## B-7. Other Contractual Services:

|                     |            |
|---------------------|------------|
| Hospital Care ..... | 400,000.00 |
|---------------------|------------|

## Epidemiology:

## A. Personal Service:

A-1. *Salaries:*

|                                |          |
|--------------------------------|----------|
| Insect, Rodent Control         |          |
| Supervisor I .....             | 9,018.00 |
| Medical Entomologist III ....  | 7,935.00 |
| Medical Entomologist Assistant | 4,548.00 |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 5,400.00 |
|-------------------|----------|

## Laboratory:

## A. Personal Service:

A-1. *Salaries:*

|                               |           |
|-------------------------------|-----------|
| Director .....                | 10,000.00 |
| Secretary I .....             | 4,509.00  |
| Bacteriologists III .....     | 12,741.00 |
| Bacteriologists II .....      | 15,314.00 |
| Bacteriologist I .....        | 5,276.00  |
| Clerks II .....               | 6,184.00  |
| Clerk I .....                 | 2,404.00  |
| Virologist .....              | 4,540.00  |
| Laboratory Technicians II ... | 15,505.00 |
| Laboratory Technicians I .... | 12,914.00 |
| Laboratory Helpers .....      | 4,540.00  |

## B. Contractual Services:

|                   |        |
|-------------------|--------|
| B-2. Travel ..... | 400.00 |
|-------------------|--------|

---

Total Item 2 (Disease Control) .. \$ 651,915.00

## Item 3. Dental Health:

## Office of Director:

## A. Personal Service:

A-1. *Salaries:*

|                   |              |
|-------------------|--------------|
| Director .....    | \$ 10,000.00 |
| Secretary I ..... | 3,646.00     |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 4,000.00 |
|-------------------|----------|

---

Total Item 3 (Dental Health) .... \$ 17,646.00

## Item 4. Local Health Supervision:

## Office of Director:

## A. Personal Service:

A-1. *Salaries:*

|                        |    |          |
|------------------------|----|----------|
| Stenographer III ..... | \$ | 4,093.00 |
|------------------------|----|----------|

## Item 5. Sanitary Engineering:

## A. Personal Service:

A-1. *Salaries:*

|                                |    |           |
|--------------------------------|----|-----------|
| Director (P. T.) .....         | \$ | 6,028.00  |
| Assistant Director .....       |    | 9,413.00  |
| Stenographer III .....         |    | 4,275.00  |
| Sanitary Engineers IV .....    |    | 14,907.00 |
| Sanitation Consultants .....   |    | 27,896.00 |
| Bedding Inspector .....        |    | 6,241.00  |
| Assistant Bedding Inspector .. |    | 5,431.00  |
| Consultant Sanitary Engineer.. |    | 9,146.00  |

|                                     |    |           |
|-------------------------------------|----|-----------|
| Total Item 5 (Sanitary Engineering) | \$ | 83,337.00 |
|-------------------------------------|----|-----------|

## Item 6. Maternal and Child Health:

## Office of Director:

## A. Personal Service:

A-1. *Salaries:*

|                        |    |           |
|------------------------|----|-----------|
| Director .....         | \$ | 10,000.00 |
| Stenographer III ..... |    | 4,093.00  |

|  |    |           |
|--|----|-----------|
| Total Item 6 (Maternal and Child Health) ..... | \$ | 14,093.00 |
|--|----|-----------|

## Item 7. Crippled Children:

## Crippled Children:

|                         |    |           |
|-------------------------|----|-----------|
| Convalescent Home ..... | \$ | 75,000.00 |
| Hospital Care .....     |    | 60,000.00 |
| Orthopedic Camps .....  |    | 25,000.00 |

## Speech Therapy:

## A. Personal Service:

A-1. *Salaries:*

|                              |  |          |
|------------------------------|--|----------|
| Speech Therapists (PT) ..... |  | 4,500.00 |
|------------------------------|--|----------|

## B. Contractual Services:

## B-7. Other Contractual Services:

|                     |  |          |
|---------------------|--|----------|
| Hospital Care ..... |  | 8,000.00 |
|---------------------|--|----------|

## Clinic Services (Rheumatic Fever) :

## A. Personal Service:

A-1. *Salaries*:

|                          |          |
|--------------------------|----------|
| Clerk II .....           | 2,728.00 |
| P. H. Nurse IV .....     | 5,305.00 |
| Pediatricians (PT) ..... | 1,800.00 |
| Cardiologist (PT) .....  | 600.00   |

## B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 1,000.00 |
|-------------------|----------|

|                                     |               |
|-------------------------------------|---------------|
| Total Item 7 (Crippled Children) .. | \$ 183,933.00 |
|-------------------------------------|---------------|

## Item 8. Executive Committee :

## A. Personal Service:

## A-3. Special Payments:

|   |             |
|---|-------------|
| Travel and Per Diem of Execu-<br>tive Committee ..... | \$ 2,650.00 |
|---|-------------|

## Item 9. Other Expenditures :

## B. Contractual Services:

|   |           |
|---|-----------|
| B-1. Freight, Express and De-<br>liveries ..... | \$ 400.00 |
| B-3. Telegraph and Telephone ..                 | 2,800.00  |
| B-4. Repairs .....                              | 4,000.00  |
| B-5. Printing and Advertising ..                | 4,000.00  |
| B-7. Other Contractual Services.                | 600.00    |

## C. Supplies:

|                                 |           |
|---------------------------------|-----------|
| C-4. Office Supplies .....      | 32,000.00 |
| C-10. Clothing and Dry Goods .. | 300.00    |

## D. Fixed Charges and Contributions:

|   |           |
|---|-----------|
| D-1. Rents (Office and Labora-<br>tory Space) ..... | 30,577.00 |
| Rents (Equipment) .....                             | 16,620.00 |
| D-2. Insurance .....                                | 3,300.00  |

## G. Equipment:

|   |          |
|---|----------|
| G-1. Office Equipment .....                     | 2,000.00 |
| G-8. Laboratory Equipment and<br>Supplies ..... | 5,000.00 |

## Special Services (Counties) :

|                         |           |
|-------------------------|-----------|
| Biologics .....         | 25,000.00 |
| Antirabic Vaccine ..... | 6,000.00  |

|  |                 |
|--|-----------------|
| VD Drugs .....                                   | 10,000.00       |
| VD Control .....                                 | 2,400.00        |
| Insect Control Program .....                     | 105,000.00      |
| Anti-Polio Vaccine .....                         | 75,000.00       |
| For Patrolling Coastal Shell<br>Fish Areas ..... | 25,000.00       |
| Civil Defense .....                              | 20,000.00       |
| <hr/>  |                 |
| Total Item 9 (Other Expenditures)                | \$ 369,997.00   |
| <hr/>  |                 |
| Total (Central Administration) ...               | \$ 1,654,080.00 |
| Item 10. Aid to County Health Units              | \$ 1,287,089.00 |
| <hr/>  |                 |
| GRAND TOTAL (State Board of<br>Health) .....     | \$ 2,941,169.00 |

*Provided, Further,* That State funds herein provided for aid to county health departments shall be distributed on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive less State funds than for the fiscal year 1962-1963.

*Provided, further,* that Federal funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of county health units, shall be distributed among the counties of the State on a basis approved by the Executive Committee of the State Board of Health so that no county shall receive more Federal funds until each county has received an amount equal to those amounts made available for the fiscal year 1962-63.

*Provided, Further,* That both State and Federal Funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health. *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

*Provided, Further,* That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

*Provided, Further,* That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

*Provided, Further,* That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

*Provided, Further,* That out of the appropriation provided in Item 10 of this section for State Aid to County Health Units, the sum of \$25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.
2. To provide funds to combat special health problems that may exist in certain counties.
3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.
4. To encourage and promote local participation in financial support of the county health departments.
5. To meet emergency situations which may arise in local areas.
6. To fit funds available to amounts budgeted when small differences occur.

*Provided, Further,* That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

## SECTION 48

### Water Pollution Control Authority

For Administration:

#### A. Personal Service:

##### A-1. *Salaries:*

|                                      |          |
|--------------------------------------|----------|
| Executive Director (P.T.) . . . . \$ | 4,550.00 |
| Assistant Director . . . . .         | 9,049.00 |

|   |           |              |
|---|-----------|--------------|
| Water Pollution Control Engineers II .....                | 11,507.00 |              |
| Chemists .....  | 5,419.00  |              |
| Secretary I .....   | 4,132.00  |              |
| Laboratory Technicians (2) ..                             | 8,368.00  |              |
| Water Sample Takers .....                                 | 10,754.00 |              |
| Radiological — Industrial Engineer .....                  | 8,559.00  |              |
| A-3. Special Payments:                                    |           |              |
| Travel and Per Diem of Board Members .....                | 1,750.00  |              |
| Special Fees .....  | 600.00    |              |
| B. Contractual Services:                                  |           |              |
| B-2. Travel .....   | 8,000.00  |              |
| B-3. Telegraph and Telephone ..                           | 500.00    |              |
| B-4. Repairs .....  | 600.00    |              |
| B-6. Water, Heat, Light and Power .....                   | 500.00    |              |
| B-7. Hearings .....                                       | 350.00    |              |
| C. Supplies:  |           |              |
| C-4. Office Supplies .....                                | 500.00    |              |
| C-8. Motor Vehicle Supplies ....                          | 1,500.00  |              |
| C-11. Laboratory Supplies .....                           | 1,000.00  |              |
| D. Fixed Charges and Contributions:                       |           |              |
| D-1. Rents .....  | 400.00    |              |
| D-2. Insurance .....                                      | 480.00    |              |
| D-3. Cooperative Agreement—<br>U. S. Geological Survey .. | 5,000.00  |              |
| G. Equipment:   |           |              |
| G-1. Office Equipment .....                               | 500.00    |              |
| G-4. Motor Vehicles and Equipment .....                   | 800.00    |              |
| G-8. Laboratory Equipment ....                            | 1,000.00  |              |
| Total (Water Pollution Control Authority) .....           |           | \$ 85,818.00 |

### SECTION 49

#### State Dairy Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

|                   |             |
|-------------------|-------------|
| Director .....    | \$ 8,000.00 |
| Auditors .....    | 34,460.00   |
| Inspector .....   | 6,062.00    |
| Secretaries ..... | 7,750.00    |

A-3. Special Payments:

|   |          |
|---|----------|
| Per Diem for Commissioners<br>(8) ..... | 1,000.00 |
|---|----------|

B. Contractual Services:

|                                 |           |
|---------------------------------|-----------|
| B-2. Travel .....               | 13,500.00 |
| B-3. Telegraph and Telephone .. | 1,500.00  |
| B-4. Repairs .....              | 350.00    |

C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 2,000.00 |
|----------------------------|----------|

D. Fixed Charges and Contributions:

|                      |       |
|----------------------|-------|
| D-2. Insurance ..... | 50.00 |
|----------------------|-------|

|                                  |    |           |
|----------------------------------|----|-----------|
| TOTAL (State Dairy Commission) . | \$ | 74,672.00 |
|----------------------------------|----|-----------|

### SECTION 50

#### State Tax Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

|   |              |
|---|--------------|
| Commissioners .....                       | \$ 56,700.00 |
| Supplemental Salary — Chair-<br>man ..... | 2,500.00     |
| Executive Secretary .....                 | 10,500.00    |
| Administrative Assistants .....           | 25,900.00    |
| Clerks .....                              | 43,452.00    |
| Service Clerks .....                      | 85,203.86    |
| Secretaries .....                         | 51,960.00    |
| Telephone Operators .....                 | 10,164.00    |
| Warrant Officers .....                    | 102,386.00   |
| Assessment Supervisors .....              | 27,800.00    |
| Temporary Help .....                      | 10,000.00    |

## A-2. Wages:

|               |        |
|---------------|--------|
| Janitor ..... | 780.00 |
|---------------|--------|

## Total (Item 1) Administrative

|                |               |
|----------------|---------------|
| Division ..... | \$ 427,345.86 |
|----------------|---------------|

## Item 2. Inheritance Tax Division:

## A. Personal Service:

A-1. *Salaries:*

|                    |              |
|--------------------|--------------|
| Director .....     | \$ 10,000.00 |
| Steno-Clerks ..... | 7,060.00     |
| Auditors .....     | 22,491.00    |

## Total (Item 2) Inheritance Tax

|                |              |
|----------------|--------------|
| Division ..... | \$ 39,551.00 |
|----------------|--------------|

## Item 3. Property Tax Division:

## A. Personal Service:

A-1. *Salaries:*

|                          |              |
|--------------------------|--------------|
| Director .....           | \$ 10,000.00 |
| Assistant Director ..... | 9,800.00     |
| Clerks .....             | 26,300.00    |
| Field Agents .....       | 52,500.00    |

## Total (Item 3) Property Tax

|                |              |
|----------------|--------------|
| Division ..... | \$ 98,600.00 |
|----------------|--------------|

## Item 4. Income Tax Division:

## A. Personal Service:

A-1. *Salaries:*

|                   |              |
|-------------------|--------------|
| Director .....    | \$ 10,400.00 |
| Secretaries ..... | 26,000.00    |
| Clerks .....      | 231,998.00   |
| Auditors .....    | 389,557.00   |

## Total (Item 4) Income Tax

|                |               |
|----------------|---------------|
| Division ..... | \$ 657,955.00 |
|----------------|---------------|

## Item 5. License Tax Division:

## A. Personal Service:

A-1. *Salaries:*

|                   |              |
|-------------------|--------------|
| Director .....    | \$ 10,200.00 |
| Secretaries ..... | 18,689.00    |
| Clerks .....      | 51,317.00    |

|                                     |              |               |
|-------------------------------------|--------------|---------------|
| Auditors .....                      | 85,768.00    |               |
| Field Agents .....                  | 86,832.00    |               |
| <hr/>                               |              |               |
| Total (Item 5) License Tax Division |              | \$ 252,806.00 |
| Item 6. Beer and Wine and Alcoholic |              |               |
| Liquors Division:                   |              |               |
| A. Personal Service:                |              |               |
| A-1. <i>Salaries:</i>               |              |               |
| Director .....                      | \$ 10,200.00 |               |
| Hearing Officer .....               | 6,600.00     |               |
| Secretaries .....                   | 12,100.00    |               |
| Clerks .....                        | 31,550.00    |               |
| Examiners .....                     | 10,400.00    |               |
| Investigators .....                 | 69,700.00    |               |
| <hr/>                               |              |               |
| Total (Item 6) Beer and Wine and    |              |               |
| Alcoholic Liquors Division          |              | \$ 140,550.00 |
| Item 7. Sales Tax Division:         |              |               |
| A. Personal Service:                |              |               |
| A-1. <i>Salaries:</i>               |              |               |
| Director .....                      | \$ 10,400.00 |               |
| Secretaries .....                   | 53,693.00    |               |
| Clerks .....                        | 170,288.00   |               |
| Auditors .....                      | 592,508.00   |               |
| <hr/>                               |              |               |
| Total (Item 7) Sales Tax Division   |              | \$ 826,889.00 |
| Item 8. Data Processing Division:   |              |               |
| A. Personal Service:                |              |               |
| A-1. <i>Salaries:</i>               |              |               |
| Director .....                      | \$ 10,400.00 |               |
| Systems Analysis Unit .....         | 27,926.00    |               |
| Accounting Unit .....               | 59,118.00    |               |
| Machine Operators .....             | 148,983.00   |               |
| <hr/>                               |              |               |
| Total (Item 8) Data Processing Di-  |              |               |
| vision .....                        |              | \$ 246,427.00 |
| Item 9. General Operating:          |              |               |
| B. Contractual Services:            |              |               |
| B-1. Freight, Express and De-       |              |               |
| liveries .....                      | \$ 6,500.00  |               |

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|  |            |                 |
|--|------------|-----------------|
| B-2. Travel .....  | 443,773.00 |                 |
| B-3. Telegraph and Telephone ..                              | 20,000.00  |                 |
| B-4. Repairs .....   | 20,000.00  |                 |
| B-5. Printing, Binding and Ad-<br>vertising .....            | 3,500.00   |                 |
| B-6. Water, Heat, Light and<br>Power .....                   | 1,525.00   |                 |
| C. Supplies:   |            |                 |
| C-4. Office Supplies and stamps..                            | 300,000.00 |                 |
| C-8. Motor Vehicle Supplies ...                              | 7,500.00   |                 |
| D. Fixed Charges and Contributions:                          |            |                 |
| D-1. Rents:  |            |                 |
| Machine Rental .....   | 155,000.00 |                 |
| District Office .....  | 21,826.56  |                 |
| Post Office Box .....  | 96.00      |                 |
| D-2. Insurance—Premium on<br>Bonds .....                     | 8,000.00   |                 |
| D-3. Contributions .....                                     | 1,200.00   |                 |
| G. Equipment:  |            |                 |
| G-1. Office Equipment .....                                  | 35,000.00  |                 |
| G-4. Motor Vehicles and Equip-<br>ment .....                 | 8,000.00   |                 |
| For Codifying Commission Regu-<br>lations and Decisions .... | 1,400.00   |                 |
| Property Assessment Manuals ....                             | 12,600.00  |                 |
| Total (Item 9) General Operating                             |            | \$ 1,045,920.56 |
| TOTAL (State Tax Commission)                                 |            | \$ 3,736,044.42 |

*Provided*, That the Tax Commission is hereby authorized to purchase Revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

*Provided, Further*, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

*Provided, Further*, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the

revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

## SECTION 51

### Insurance Department

#### Executive Control of Insurance:

##### A. Personal Service:

##### A-1. *Salaries:*

##### Administration:

|   |           |
|---|-----------|
| Chief Insurance Commissioner \$               | 14,000.00 |
| Chief Deputy Insurance Commissioner .....     | 12,000.00 |
| Deputy Ins. Commissioner—Technical .....      | 11,000.00 |
| Deputy Ins. Commissioner—Administrative ..... | 11,000.00 |
| General Counsel .....                         | 11,000.00 |
| Assistant General Counsel ....                | 7,000.00  |
| Executive Secretary .....                     | 5,200.00  |
| Legal Secretary .....                         | 4,700.00  |
| Directors .....                               | 63,000.00 |
| Actuary—Examiners .....                       | 15,000.00 |
| Analysts .....                                | 56,050.00 |
| Auditors .....                                | 18,000.00 |
| Bookkeepers .....                             | 9,100.00  |
| Clerks .....                                  | 50,660.00 |
| Coordinators .....                            | 13,000.00 |
| Examiners .....                               | 88,500.00 |
| Investigators .....                           | 52,100.00 |
| Secretaries .....                             | 25,000.00 |
| Statisticians .....                           | 33,320.00 |
| Stenographers .....                           | 29,000.00 |
| Extra Clerical Help .....                     | 1,700.00  |

##### LP Gas and Fire Marshal Division:

|                               |           |
|-------------------------------|-----------|
| Director .....                | 9,000.00  |
| LP Gas Inspectors .....       | 29,500.00 |
| Deputy State Fire Marshals... | 35,500.00 |
| Steno-Clerk .....             | 4,000.00  |

##### A-3. Special Payments .....

|  |          |
|--|----------|
|  | 1,500.00 |
|--|----------|

## General Operating:

## B. Contractual Services:

|                                  |           |
|----------------------------------|-----------|
| B-2. Travel .....                | 55,000.00 |
| B-3. Telegraph and Telephone ..  | 8,000.00  |
| B-4. Repairs .....               | 2,500.00  |
| B-7. Other Contractual Services. | 2,500.00  |

## C. Supplies:

|                            |           |
|----------------------------|-----------|
| C-4. Office Supplies ..... | 23,000.00 |
|----------------------------|-----------|

## D. Fixed Charges and Contributions:

|                          |           |
|--------------------------|-----------|
| D-1. Rents .....         | 31,500.00 |
| D-2. Insurance .....     | 3,850.00  |
| D-3. Contributions ..... | 500.00    |

## G. Equipment:

|                             |          |
|-----------------------------|----------|
| G-1. Office Equipment ..... | 5,000.00 |
|-----------------------------|----------|

---

|  |               |
|--|---------------|
| Total (Insurance Commissioner's<br>Office) ..... | \$ 741,680.00 |
|--|---------------|

**SECTION 52**

## Contractors' Licensing Board

## For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                            |             |
|----------------------------|-------------|
| Secretary-Treasurer .....  | \$ 5,600.00 |
| Assistant Secretary .....  | 3,954.00    |
| Field Representative ..... | 5,488.00    |
| Steno-Clerk .....          | 2,565.00    |

## A-3. Special Payments:

|                           |          |
|---------------------------|----------|
| Per Diem Board Members .. | 500.00   |
| Examinations .....        | 2,000.00 |

## B. Contractual Services:

|                                  |          |
|----------------------------------|----------|
| B-2. Travel .....                | 5,000.00 |
| B-3. Telegraph and Telephone ..  | 750.00   |
| B-4. Repairs .....               | 100.00   |
| B-5. Printing and Advertising .. | 100.00   |

## C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 3,500.00 |
|----------------------------|----------|

## D. Fixed Charges and Contributions:

|  |          |
|--|----------|
| D-1. Rent .....                            | 1,800.00 |
| D-2. Bond Premium and Insur-<br>ance ..... | 40.00    |

|  |              |
|--|--------------|
| G. Equipment:                              |              |
| G-1. Office Equipment .....                | 200.00       |
| <hr/>                                      |              |
| TOTAL (Contractors' Licensing Board) ..... | \$ 31,597.00 |

**SECTION 53**

## State Service Bureau

## Item 1. For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                                 |             |
|---------------------------------|-------------|
| State Service Officer .....     | \$ 7,781.00 |
| Asst. State Service Officer ... | 7,084.00    |
| Senior Field Investigator ..... | 6,390.00    |
| Junior Field Investigator ..... | 5,597.00    |
| Secretary .....                 | 4,198.00    |
| Senior Stenographer .....       | 3,486.00    |

## B. Contractual Services:

|                                 |          |
|---------------------------------|----------|
| B-2. Travel .....               | 1,500.00 |
| B-3. Telegraph and Telephone... | 900.00   |
| B-4. Repairs .....              | 100.00   |

## C. Supplies:

|                            |        |
|----------------------------|--------|
| C-4. Office Supplies ..... | 800.00 |
|----------------------------|--------|

## D. Fixed Charges and Contributions:

|                             |        |
|-----------------------------|--------|
| D-1. Association Dues ..... | 100.00 |
|-----------------------------|--------|

## G. Equipment:

|                             |        |
|-----------------------------|--------|
| G-1. Office Equipment ..... | 550.00 |
|-----------------------------|--------|

|                                     |               |
|-------------------------------------|---------------|
| Total (Item 1) For Administration   | \$ 38,486.00  |
| Item 2. Operation of County Offices | \$ 242,034.00 |

## Item 3. Veterans' Administration

## Personnel:

## A. Personal Service:

A-1. *Salaries:*

|                                 |             |
|---------------------------------|-------------|
| Service Officer, VFW .....      | \$ 4,000.00 |
| Secretary, Service Officer, VFW | 2,000.00    |
| Service Officers, DAV .....     | 4,500.00    |
| Secretary, DAV .....            | 1,500.00    |

|  |          |               |
|--|----------|---------------|
| Service Officer, The American<br>Legion .....                | 4,800.00 |               |
| Secretary, Service Officer,<br>American Legion .....         | 960.00   |               |
|  |          | <hr/>         |
| Total (Item 3) Veterans' Adminis-<br>tration Personnel ..... |          | \$ 17,760.00  |
|  |          | <hr/>         |
| TOTAL (State Service Bureau) ...                             |          | \$ 298,280.00 |

*Provided*, That for the fiscal year 1963-64, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred (\$300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

## SECTION 54

### Department of Agriculture

#### Item 1. Superintendence and Administration:

##### A. Personal Service:

##### A-1. *Salaries:*

|                               |              |
|-------------------------------|--------------|
| Commissioner .....            | \$ 15,000.00 |
| Deputy Commissioner .....     | 9,000.00     |
| Assistant to Commissioner ... | 8,250.00     |
| Finance Officer .....         | 7,000.00     |
| Agriculturist .....           | 6,300.00     |
| Secretary .....               | 5,200.00     |
| Clerk-Typist .....            | 4,000.00     |
| Editor—Market Bulletin .....  | 4,550.00     |
| Clerks .....                  | 12,300.00    |
| Stenographer .....            | 3,000.00     |
|                               | <hr/>        |

|  |              |
|--|--------------|
| Total (Item 1) Superintendence and<br>Administration ..... | \$ 74,600.00 |
|--|--------------|

#### Item 1-A. Pure Food and Drug:

|   |              |
|---|--------------|
| A. Personal Service, Materials, Sup-<br>plies and Equipment ..... | \$ 50,000.00 |
|---|--------------|

**Item 2. Chemical Laboratory:****A. Personal Service:****A-1. Salaries:**

|                             |             |
|-----------------------------|-------------|
| Director .....              | \$ 9,000.00 |
| Chief Chemist .....         | 8,250.00    |
| Secretary .....             | 4,500.00    |
| Stenographer .....          | 3,600.00    |
| Chemists .....              | 31,600.00   |
| Chief Seed Analyst .....    | 6,600.00    |
| Seed Analysts .....         | 22,300.00   |
| Seed Technicians .....      | 30,070.00   |
| Laboratory Technician ..... | 3,600.00    |

**A-2. Wages:**

|              |          |
|--------------|----------|
| Porter ..... | 2,200.00 |
|--------------|----------|

|                                    |               |
|------------------------------------|---------------|
| Total (Item 2) Chemical Laboratory | \$ 121,720.00 |
|------------------------------------|---------------|

**Item 3. Bureau of Inspection:****A. Personal Service:****A-1. Salaries:**

|                                       |             |
|---------------------------------------|-------------|
| Director .....                        | \$ 8,250.00 |
| Secretary .....                       | 4,000.00    |
| Secretary .....                       | 3,900.00    |
| Seed, Feed, Oil and Scales:           |             |
| Inspectors .....                      | 103,293.00  |
| Audit Clerk .....                     | 5,000.00    |
| Auditors .....                        | 16,000.00   |
| Stenographers .....                   | 5,500.00    |
| Caretaker (Calibration Station) ..... | 700.00      |

|                                     |               |
|-------------------------------------|---------------|
| Total (Item 3) Bureau of Inspection | \$ 146,643.00 |
|-------------------------------------|---------------|

**Item 4. Warehouse Division:****A. Personal Service:****A-1. Salaries:**

|                          |             |
|--------------------------|-------------|
| Director .....           | \$ 7,500.00 |
| Secretary .....          | 4,200.00    |
| Chief Bookkeeper .....   | 7,000.00    |
| Audit Clerks .....       | 15,600.00   |
| Warehouse Auditors ..... | 36,800.00   |
| Clerk .....              | 4,600.00    |

|  |               |
|--|---------------|
| A-3. Special Payments:                     |               |
| Extra Help .....                           | 1,300.00      |
| <hr/>                                      |               |
| Total (Item 4) (Warehouse Division) .....  | \$ 77,000.00  |
| Item 5. Egg Law Enforcement:               |               |
| A. Personal Service:                       |               |
| A-1. <i>Salaries</i> :                     |               |
| Inspectors .....                           | \$ 24,182.00  |
| Item 6. General Operating:                 |               |
| B. Contractual Services:                   |               |
| B-1. Freight, Express and Deliveries ..... | \$ 4,000.00   |
| B-2. Travel .....                          | 75,000.00     |
| B-3. Telephone and Telegraph ..            | 4,000.00      |
| B-4. Repairs .....                         | 6,000.00      |
| B-5. Printing and Advertising:             |               |
| Market Bulletin and Expense ..             | 56,675.00     |
| Agricultural Statistics .....              | 1,500.00      |
| B-6. Water, Heat, Light and Power .....    |               |
|  | 650.00        |
| C. Supplies:                               |               |
| C-4. Office Supplies .....                 | 31,150.00     |
| C-7. Educational Supplies .....            | 100.00        |
| C-8. Motor Vehicle Supplies ....           | 500.00        |
| C-11. Other Supplies .....                 | 6,000.00      |
| D. Fixed Charges and Contributions:        |               |
| D-1. Rents .....                           | 3,036.00      |
| D-2. Insurance .....                       | 2,500.00      |
| D-3. Association Dues .....                | 200.00        |
| State Fair Exhibit .....                   | 400.00        |
| G. Equipment:                              |               |
| G-1. Office Equipment .....                | 1,500.00      |
| G-4. Motor Vehicles and Equipment .....    | 3,000.00      |
| G-8. Other Equipment .....                 | 3,000.00      |
| <hr/>                                      |               |
| Total (Item 6) General Operating.          | \$ 199,211.00 |
| <hr/>                                      |               |
| TOTAL (Department of Agriculture)          | \$ 693,356.00 |

**SECTION 55**

## State Agricultural Marketing Commission

## Item 1. For Administration:

## A. Personal Service:

A-1. *Salaries:*

|                          |             |
|--------------------------|-------------|
| Marketing Director ..... | \$ 5,412.00 |
| Market Coordinator ..... | 6,252.00    |
| Secretary .....          | 3,500.00    |

## A-3. Special Payments:

|                           |        |
|---------------------------|--------|
| Per Diem of Members ..... | 250.00 |
|---------------------------|--------|

## B. Contractual Services:

|                                   |          |
|-----------------------------------|----------|
| B-2. Travel .....                 | 3,000.00 |
| B-3. Telegraph and Telephone ..   | 300.00   |
| B-4. Repairs .....                | 70.00    |
| B-5. Printing and Advertising ... | 100.00   |

## C. Supplies:

|                            |        |
|----------------------------|--------|
| C-4. Office Supplies ..... | 145.00 |
|----------------------------|--------|

## D. Fixed Charges and Contributions:

|                          |       |
|--------------------------|-------|
| D-3. Contributions ..... | 20.00 |
|--------------------------|-------|

## G. Equipment:

|                             |        |
|-----------------------------|--------|
| G-1. Office Equipment ..... | 200.00 |
|-----------------------------|--------|

|                                   |              |
|-----------------------------------|--------------|
| Total (Item 1) For Administration | \$ 19,249.00 |
|-----------------------------------|--------------|

|   |              |
|---|--------------|
| Item 2. Farm Market Facilities, Surveys and Service ..... | \$ 30,000.00 |
|---|--------------|

|   |              |
|---|--------------|
| TOTAL (State Agricultural Marketing Commission) ..... | \$ 49,249.00 |
|---|--------------|

**SECTION 56**

## State Forestry Commission

## Item 1. Division of Forestry:

|                                 |                 |
|---------------------------------|-----------------|
| Personal Service .....          | \$ 1,050,100.00 |
| Contractual Services .....      | 125,600.00      |
| Supplies .....                  | 123,468.00      |
| Fixed Charges .....             | 29,185.00       |
| Equipment .....                 | 100,300.00      |
| Nurseries and State Forests ... | 523,300.00      |

|                                    |                 |
|------------------------------------|-----------------|
| Total (Division of Forestry) ..... | \$ 1,951,953.00 |
|------------------------------------|-----------------|

## Item 2. Division of State Parks:

|                            |               |
|----------------------------|---------------|
| Personal Service .....     | \$ 307,700.00 |
| Contractual Services ..... | 33,900.00     |
| Supplies .....             | 53,468.00     |
| Fixed Charges .....        | 1,350.00      |
| Equipment .....            | 19,378.00     |

---

Total (Division of State Parks) . . . \$ 415,796.00

## Item 3. Historical Areas:

|                            |             |
|----------------------------|-------------|
| Personal Service .....     | \$ 7,769.00 |
| Contractual Services ..... | 2,175.00    |
| Supplies .....             | 6,244.00    |
| Fixed Charges .....        | 406.00      |
| Equipment .....            | 3,449.00    |
| Rose Hill .....            | 7,500.00    |

---

Total (Historical Areas) . . . . . \$ 27,543.00

---

TOTAL (State Forestry Commission) . . . . . \$ 2,395,292.00

*Provided, That,* for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

*Provided, Further,* That the State Forestry Commission may refund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

*Provided, Further,* That all net revenues derived from the operation of the fishing pier at Myrtle Beach State Park shall be used for improvements at the said park.

*Provided, Further,* That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

*Provided, Further,* That during the summer the Commission shall, upon request cut fire lanes for private persons and charge for the same at the rate of \$30.00 per suppression unit per day.

**SECTION 57**

## Clemson Agricultural College (Public Service Activities)

|         |  |                 |
|---------|--|-----------------|
| Item 1. | Agricultural Research .....                      | \$ 1,127,063.00 |
| Item 2. | Extension Division .....                         | 1,244,000.00    |
| Item 3. | Fertilizer Inspection and<br>Analysis .....      | 94,246.00       |
| Item 4. | Livestock and Poultry Health<br>Department ..... | 353,255.00      |
| Item 5. | Camp Bob Cooper .....                            | 2,400.00        |
| Item 6. | Camp Long .....                                  | 2,400.00        |
| Item 7. | Camp Harry Daniel .....                          | 2,400.00        |

|   |                        |
|---|------------------------|
| <b>TOTAL</b> (Clemson Agricultural Col-<br>lege—Public Service Ac-<br>tivities) ..... | <b>\$ 2,825,764.00</b> |
|---|------------------------|

*Provided*, That the Agricultural Research Division of Clemson College shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

*Provided, Further*, That out of the appropriation provided in this section for Agricultural Research the sum of \$20,000, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

*Provided, Further*, That out of the appropriation provided in Item 4 of this Section the sum of \$16,600.00, if so much be necessary, shall be used for meat inspection.

*Provided, Further*, That a Poultry Pathologist may be employed out of funds provided in Item 4 of this section.

**SECTION 58**

## State Soil Conservation Committee

## For Administration:

## A. Personal Service:

## A-1. Salaries:

|                           |             |
|---------------------------|-------------|
| Executive Secretary ..... | \$ 8,745.00 |
| Clerk-Stenographer .....  | 3,265.00    |

## GENERAL AND PERMANENT LAWS—1963

|   |              |
|---|--------------|
| A-3. Special Payments:                          |              |
| Per Diem:                                       |              |
| Members State Committee ..                      | 600.00       |
| Clerical Help .....                             | 200.00       |
| Election Managers .....                         | 540.00       |
| B. Contractual Services:                        |              |
| B-2. Travel .....                               | 12,000.00    |
| B-3. Telegraph and Telephone ..                 | 600.00       |
| B-5. Printing and Advertising ..                | 500.00       |
| B-7. Soil Survey Agreement ....                 | 35,000.00    |
| C. Supplies:                                    |              |
| C-4. Office Supplies .....                      | 700.00       |
| D. Fixed Charges and Contributions:             |              |
| D-1. Rent .....                                 | 1,200.00     |
| G. Equipment:                                   |              |
| G-1. Office Equipment .....                     | 300.00       |
| <hr/>   |              |
| Total (State Soil Conservation Committee) ..... | \$ 63,650.00 |

**SECTION 59**

## Department of Labor

## Item 1. For Administration:

## Office of the Commissioner:

## A. Personal Service:

A-1. *Salaries:*

|                                |              |
|--------------------------------|--------------|
| Commissioner .....             | \$ 12,000.00 |
| Investigation Supervisor ..... | 5,771.00     |
| Secretary to Commissioner ...  | 4,001.00     |
| Bookkeeper .....               | 4,001.00     |
| Senior Conciliator .....       | 6,114.00     |
| Junior Conciliator .....       | 5,557.00     |
| Junior Conciliator .....       | 5,386.00     |

## Division of Inspection:

|  |           |
|--|-----------|
| Director of Inspection and Deputy Commissioner ..... | 6,500.00  |
| Secretary to Director .....                          | 4,001.00  |
| Clerks (2) .....                                     | 6,062.00  |
| Inspectors .....                                     | 57,321.41 |

## Division of Standards and Statistics:

|  |           |
|--|-----------|
| Director of Standards and Statistics ..... | 5,835.00  |
| Secretary to Director .....                | 3,000.00  |
| Statistician .....                         | 4,001.00  |
| Clerks (2) .....                           | 5,789.09  |
| A-3. Special Payments:                     |           |
| Clerical Help .....                        | 300.00    |
| B. Contractual Services:                   |           |
| B-2. Travel .....                          | 37,740.00 |
| B-3. Telephone and Telegraph ..            | 1,500.00  |
| B-4. Repairs .....                         | 500.00    |
| B-5. Printing and Advertising ..           | 1,660.00  |
| C. Supplies:                               |           |
| C-4. Office Supplies .....                 | 3,000.00  |
| C-11. Other Supplies .....                 | 100.00    |
| D. Fixed Charges and Contributions:        |           |
| D-1. Rents .....                           | 76.00     |
| D-2. Insurance .....                       | 100.00    |
| D-3. Contributions:                        |           |
| Association Dues .....                     | 75.00     |
| Fair Exhibits .....                        | 500.00    |
| G. Equipment:                              |           |
| G-1. Office Equipment .....                | 350.00    |

---

Total Item 1 (For Administration) \$ 181,240.50

## Item 2. Division of Safety:

## A. Personal Service:

## A-1. Salaries:

|                        |             |
|------------------------|-------------|
| Safety Director .....  | \$ 5,835.00 |
| Safety Engineers ..... | 20,852.50   |
| Secretary .....        | 3,755.00    |

---

Total Item 2 (Division of Safety) \$ 30,442.50

---

TOTAL (Department of Labor) \$ 211,683.00

**SECTION 60**

## South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Seven Thousand Nine Hundred and Twenty (\$7,920.00) Dollars each.

**SECTION 61**

## South Carolina Industrial Commission

## Item 1. Administration:

## A. Personal Service:

A-1. *Salaries:*

## Administrative:

|                                 |              |
|---------------------------------|--------------|
| Commissioners (5) . . . . .     | \$ 60,000.00 |
| Administrative Assistant . . .  | 8,700.00     |
| Legal Secretaries (5) . . . . . | 18,170.00    |
| Reporters (5) . . . . .         | 27,095.00    |
| Secretary . . . . .             | 4,301.00     |
| Senior Stenographer . . . . .   | 3,634.00     |
| Bookkeeper . . . . .            | 4,618.00     |

## Coverage:

|                               |          |
|-------------------------------|----------|
| Secretary . . . . .           | 3,447.00 |
| Senior Stenographer . . . . . | 3,035.00 |
| Senior Clerk . . . . .        | 3,501.00 |
| Senior Clerk . . . . .        | 3,035.00 |

## Claims:

|                               |          |
|-------------------------------|----------|
| Claims Examiner . . . . .     | 7,300.00 |
| Assistant Claims Examiner . . | 6,200.00 |
| Senior Stenographer . . . . . | 3,848.00 |
| Senior Clerk . . . . .        | 3,035.00 |
| Senior Clerk . . . . .        | 2,803.00 |

## Clerical:

|                             |          |
|-----------------------------|----------|
| Senior Clerks (2) . . . . . | 7,268.00 |
| Junior Clerk . . . . .      | 3,035.00 |
| Junior Clerk . . . . .      | 2,852.00 |
| Clerk-Typist . . . . .      | 2,803.00 |

## Medical:

|                               |          |
|-------------------------------|----------|
| Medical Consultant . . . . .  | 2,534.00 |
| Senior Stenographer . . . . . | 3,634.00 |

|  |           |
|--|-----------|
| <b>Safety:</b>                                     |           |
| Senior Safety Engineer .....                       | 5,905.00  |
| Junior Safety Engineer ....                        | 4,873.00  |
| <b>Statistical:</b>                                |           |
| Supervisor of Coverage and<br>Statistics .....     | 5,597.00  |
| Statistician .....                                 | 3,835.00  |
| Assistant Statistician .....                       | 3,601.00  |
| Machine Operator .....                             | 3,234.00  |
| <b>State Fund:</b>                                 |           |
| Director .....                                     | 8,700.00  |
| Assistant Director .....                           | 5,170.00  |
| Claims Investigator .....                          | 5,281.00  |
| Claims Investigator .....                          | 4,431.00  |
| Senior Stenographer .....                          | 3,634.00  |
| Senior Stenographer .....                          | 3,634.00  |
| Senior Clerk .....                                 | 3,035.00  |
| Senior Payroll Auditor ....                        | 5,281.00  |
| Junior Payroll Auditor ....                        | 4,547.00  |
| <b>Other Services:</b>                             |           |
| Mail Clerk .....                                   | 3,035.00  |
| Switchboard Operator .....                         | 2,835.00  |
| <b>A-3. Special Payments:</b>                      |           |
| Clerical Help .....                                | 4,800.00  |
| <b>B. Contractual Services:</b>                    |           |
| B-2. Travel .....                                  | 22,500.00 |
| B-3. Telegraph and Telephone ..                    | 3,700.00  |
| B-4. Repairs .....                                 | 1,400.00  |
| B-5. Printing and Advertising ..                   | 1,000.00  |
| <b>C. Supplies:</b>                                |           |
| C-4. Office Supplies .....                         | 18,000.00 |
| C-8. Motor Vehicle Supplies ....                   | 5,000.00  |
| <b>D. Fixed Charges and Contributions:</b>         |           |
| D-1. Rents .....                                   | 6,000.00  |
| D-2. Insurance, Workmen's Comp.<br>and Bonds ..... | 1,000.00  |
| D-3. Contributions .....                           | 300.00    |

## G. Equipment:

|  |          |
|--|----------|
| G-1. Office Equipment .....                  | 2,800.00 |
| G-4. Motor Vehicles and Equip-<br>ment ..... | 4,000.00 |

---

Total (S. C. Industrial Commission) \$ 331,976.00

**SECTION 62**

## Wildlife Resources Department

## Item 1. Administrative Division:

## A. Personal Service:

A-1. *Salaries:*

|                                |           |
|--------------------------------|-----------|
| Commissioners .....            | \$ 700.00 |
| Administrative Assistant ..... | 7,936.00  |
| Information Assistant .....    | 5,202.00  |
| Chief of Education .....       | 6,417.00  |
| Secretaries (2) .....          | 9,021.90  |

## A-3. Special Payments:

|                     |          |
|---------------------|----------|
| Clerical Help ..... | 2,000.00 |
| Hearing Fees .....  | 750.00   |

## B. Contractual Services:

|                                  |           |
|----------------------------------|-----------|
| B-2. Travel .....                | 5,000.00  |
| B-3. Telegraph and Telephone ..  | 900.00    |
| B-4. Repairs .....               | 700.00    |
| B-5. Printing and Advertising .. | 10,000.00 |
| B-7. Other Contractual Services  | 200.00    |

## C. Supplies:

|                                  |          |
|----------------------------------|----------|
| C-4. Office Supplies .....       | 1,800.00 |
| C-7. Educational Supplies .....  | 2,750.00 |
| C-8. Motor Vehicle Supplies .... | 1,750.00 |

## D. Fixed Charges and Contributions:

|  |          |
|--|----------|
| D-2. Insurance .....                       | 350.00   |
| D-3. Contributions and Dues ...            | 250.00   |
| D-4. Other Fixed Charges—<br>Surveys ..... | 250.00   |
| D-5. Exhibits .....                        | 1,000.00 |

## G. Equipment:

|                                 |          |
|---------------------------------|----------|
| G-1. Office Equipment .....     | 750.00   |
| G-4. Motor Vehicle Equipment .. | 2,500.00 |
| G-7. Educational Equipment .... | 2,000.00 |

|                                     |              |
|-------------------------------------|--------------|
| Total (Item 1) Administrative ..... | \$ 62,226.90 |
|-------------------------------------|--------------|

## Item 2. Division of Game:

## A. Personal Service:

A-1. *Salaries:*

|                                    |             |
|------------------------------------|-------------|
| Director (Chief Game Warden) ..... | \$ 9,010.00 |
| Chief Clerk .....                  | 5,765.00    |
| Secretary-License Clerk .....      | 4,360.00    |
| Deputy Chief Clerk .....           | 5,002.00    |
| Clerk-Bookkeeper .....             | 3,993.00    |
| Senior Stenographer .....          | 4,169.00    |
| Senior Stenographer .....          | 4,169.00    |
| A-2. Wages .....                   | 2,503.00    |
| Extra Clerical Help .....          | 1,200.00    |

## B. Contractual Services:

|  |          |
|--|----------|
| B-1. Freight, Express and Deliveries ..... | 150.00   |
| B-2. Travel .....                          | 3,000.00 |
| B-3. Telegraph and Telephone ..            | 1,000.00 |
| B-4. Repairs .....                         | 750.00   |
| B-5. Printing and Advertising ..           | 250.00   |
| B-7. Other Contractual Services            | 400.00   |

## C. Supplies:

|  |          |
|--|----------|
| C-4. Office Supplies .....                         | 2,250.00 |
| C-12. Other Supplies (Licenses, Forms, Etc.) ..... | 6,000.00 |

## D. Fixed Charges and Contributions:

|                                |        |
|--------------------------------|--------|
| D-2. Insurance and Bonds ..... | 500.00 |
|--------------------------------|--------|

## G. Equipment:

|                             |        |
|-----------------------------|--------|
| G-1. Office Equipment ..... | 350.00 |
|-----------------------------|--------|

|                                    |              |
|------------------------------------|--------------|
| Total (Item 2) Division of Game .. | \$ 54,821.00 |
|------------------------------------|--------------|

## Item 3. Division of Commercial Fisheries:

## A. Personal Service:

A-1. *Salaries:*

|                               |             |
|-------------------------------|-------------|
| Auditor .....                 | \$ 4,500.00 |
| Secretary and Bookkeeper .... | 4,200.00    |
| District Inspectors .....     | 38,400.00   |
| Stenographer .....            | 3,160.00    |

|                  |        |
|------------------|--------|
| A-2. Wages ..... | 350.00 |
|------------------|--------|

## A-3. Special Payments:

|   |          |
|---|----------|
| Clerical Help .....                               | 300.00   |
| Operation Patrol Boats and<br>Airplane Hire ..... | 2,200.00 |
| Legal Services .....                              | 400.00   |
| Oyster and Clam Culture .....                     | 400.00   |

## B. Contractual Services:

|  |           |
|--|-----------|
| B-2. Travel .....                          | 18,000.00 |
| B-3. Telegraph and Telephone ..            | 1,200.00  |
| B-4. Repairs .....                         | 1,500.00  |
| B-5. Printing and Advertising ..           | 25.00     |
| B-6. Water, Heat, Light and<br>Power ..... | 300.00    |
| B-7. Other Contractual Services            | 50.00     |

## C. Supplies:

|  |          |
|--|----------|
| C-1. Food Supplies .....                       | 75.00    |
| C-4. Office Supplies .....                     | 2,000.00 |
| C-5. Household, Laundry, Jani-<br>torial ..... | 50.00    |
| C-6. Medical Supplies .....                    | 10.00    |
| C-8. Motor Vehicle Supplies ....               | 5,000.00 |
| C-10. Clothing and Dry Goods ..                | 450.00   |
| C-11. Maintenance Supplies ....                | 750.00   |

## D. Fixed Charges and Contributions:

|                      |        |
|----------------------|--------|
| D-1. Rents .....     | 822.00 |
| D-2. Insurance ..... | 650.00 |

## G. Equipment:

|                                 |          |
|---------------------------------|----------|
| G-1. Office Equipment .....     | 450.00   |
| G-4. Motor Vehicle Equipment .. | 6,000.00 |

Total (Item 3) Division of Commer-  
cial Fisheries .....

\$ 91,242.00

## Item 4. Bears Bluff Laboratories:

## A. Personal Service:

A-1. *Salaries:*

|                               |              |
|-------------------------------|--------------|
| Director .....                | \$ 11,660.00 |
| Research Assistants (2) ..... | 10,642.00    |
| Maintenance Supervisor .....  | 4,290.00     |
| Secretary-Bookkeeper .....    | 4,236.00     |
| Stenographer .....            | 3,052.00     |

A-2. Wages ..... 3,110.00

A-3. Special Payments ..... 500.00

Shrimp Survey ..... 12,580.00

## B. Contractual Services:

B-2. Travel ..... 350.00

B-3. Telegraph and Telephone .. 600.00

B-4. Repairs ..... 350.00

B-5. Printing and Advertising .. 400.00

B-6. Water, Heat, Light and  
Power ..... 360.00

B-7. Other Services ..... 25.00

## C. Supplies:

C-1. Food Supplies ..... 75.00

C-2. Fuel Supplies ..... 400.00

C-4. Office Supplies ..... 350.00

C-5. Household, Laundry and  
Janitorial Supplies ..... 100.00

C-6. Medical Supplies ..... 10.00

C-8. Motor Vehicle Supplies .... 700.00

C-11. Maintenance Supplies .... 1,000.00

C-12. Other Supplies ..... 200.00

## D. Fixed Charges and Contributions:

D-2. Insurance ..... 400.00

## G. Equipment:

G-1. Office Equipment ..... 300.00

G-3. Household Equipment .... 100.00

G-8. Other Equipment ..... 300.00

Total (Item 4) Bears Bluff Labora-  
tories .....

\$ 56,090.00

TOTAL (Wildlife Resources Depart-  
ment) .....

\$ 264,379.90

*Provided*, That the total amount of appropriations made in items one and two of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

*Provided, Further*, That all revenues derived from the operation of the Commercial Fisheries Division of this Department shall be deposited in the General Fund of the State.

*Provided, Further*, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be expended except on approval of a majority of the respective county delegations, including the Senator.

*Provided, Further*, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

*Provided, Further*, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

*Provided, Further*, That any unexpended balance on June 30, 1963, in the appropriation for "Purchase of a Research Vessel" under Section 62, Item 4 of the 1962-63 General Appropriations Act may be carried forward and expended for the same purpose in 1963-64.

## SECTION 63

### Board of Bank Control

#### Item 1. Board of Bank Control:

##### A. Personal Service:

##### A-1. Salaries:

|                 |             |
|-----------------|-------------|
| Secretary ..... | \$ 5,600.00 |
|-----------------|-------------|

##### A-3. Special Payments:

|                         |        |
|-------------------------|--------|
| Per Diem of Board ..... | 550.00 |
|-------------------------|--------|

|                             |  |
|-----------------------------|--|
| Official Expense Allowance— |  |
|-----------------------------|--|

|                |        |
|----------------|--------|
| Chairman ..... | 636.00 |
|----------------|--------|

##### B. Contractual Services:

|                   |          |
|-------------------|----------|
| B-2. Travel ..... | 1,000.00 |
|-------------------|----------|

## D. Fixed Charges and Contributions:

|                 |          |
|-----------------|----------|
| D-1. Rent ..... | 1,071.00 |
|-----------------|----------|

|  |             |
|--|-------------|
| Total (Item 1) Board of Bank Control ..... | \$ 8,857.00 |
|--|-------------|

## Item 2. Examining Division:

## A. Personal Service:

A-1. *Salaries:*

|                                     |              |
|-------------------------------------|--------------|
| Chief Bank Examiner .....           | \$ 11,660.00 |
| Assistant Chief Bank Examiner ..... | 9,000.00     |
| Assistant Examiners .....           | 78,657.00    |
| Secretary .....                     | 5,181.00     |
| Stenographer .....                  | 4,668.00     |
| Stenographer .....                  | 4,368.00     |
| Stenographer .....                  | 3,900.00     |

## B. Contractual Services:

|                                    |           |
|------------------------------------|-----------|
| B-2. Travel .....                  | 54,000.00 |
| B-3. Telegraph and Telephone ..    | 1,200.00  |
| B-4. Repairs .....                 | 600.00    |
| B-5. Printing and Advertising ..   | 50.00     |
| Printing of Banking Laws ....      | 2,163.00  |
| B-7. Other Contractual Services .. | 1,200.00  |

## C. Supplies:

|                            |          |
|----------------------------|----------|
| C-4. Office Supplies ..... | 1,750.00 |
|----------------------------|----------|

## D. Fixed Charges and Contributions:

|                          |        |
|--------------------------|--------|
| D-1. Rents .....         | 18.00  |
| D-2. Insurance .....     | 137.50 |
| D-3. Contributions ..... | 275.00 |

## G. Equipment:

|                             |          |
|-----------------------------|----------|
| G-1. Office Equipment ..... | 1,500.00 |
|-----------------------------|----------|

|   |               |
|---|---------------|
| Total (Item 2) Examining Division ..... | \$ 180,327.50 |
|---|---------------|

## Item 3. Small Loan Division:

## A. Personal Service:

A-1. *Salaries:*

|                          |              |
|--------------------------|--------------|
| Director .....           | \$ 11,000.00 |
| Assistant Director ..... | 8,400.00     |
| Examiners .....          | 30,640.00    |
| Secretary .....          | 5,100.00     |

|                                     |               |
|-------------------------------------|---------------|
| A-3. Special Payments:              |               |
| Per Diem of Board .....             | 500.00        |
| Official Expense Allowance—         |               |
| Chairman .....                      | 1,590.00      |
| Secretary of Board .....            | 700.00        |
| Hearing Fees .....                  | 1,000.00      |
| B. Contractual Services:            |               |
| B-2. Travel .....                   | 28,000.00     |
| B-3. Telegraph and Telephone ..     | 600.00        |
| B-4. Repairs .....                  | 350.00        |
| C. Supplies:                        |               |
| C-4. Office Supplies .....          | 2,500.00      |
| D. Fixed Charges and Contributions: |               |
| D-1. Rents .....                    | 2,121.60      |
| D-2. Insurance .....                | 137.50        |
| D-3. Contributions .....            | 100.00        |
| G. Equipment:                       |               |
| G-1. Office Equipment .....         | 1,000.00      |
| <hr/>                               |               |
| Total (Item 3) Small Loan Division  | \$ 93,739.10  |
| <hr/>                               |               |
| TOTAL (Board of Bank Control) ...   | \$ 282,923.60 |

*Provided*, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

## SECTION 64

### Public Service Commission

#### Item 1. For Administration:

##### A. Personal Service:

##### A-1. Salaries:

|                               |             |
|-------------------------------|-------------|
| Chairman .....                | \$ 9,230.00 |
| Commissioners (6) .....       | 53,868.00   |
| Executive Secretary .....     | 8,000.00    |
| Asst. Secretary .....         | 5,500.00    |
| Director of Rate Bureau ..... | 9,500.00    |
| Office Assistant .....        | 5,200.00    |

|  |             |               |
|--|-------------|---------------|
| Director, Telephone, Gas and Water .....         | 7,500.00    |               |
| Assistant Director .....                         | 7,500.00    |               |
| Accountant .....                                 | 6,050.00    |               |
| Stenographers (2) .....                          | 7,759.00    |               |
| Chief Engineer .....                             | 7,000.00    |               |
| Official Reporters (2) .....                     | 10,640.00   |               |
| A-2. Wages .....                                 | 2,251.00    |               |
| A-3. Special Payments:                           |             |               |
| Temporary Professional Services—Litigation ..... | 10,000.00   |               |
| B. Contractual Services:                         |             |               |
| B-2. Travel .....                                | 24,000.00   |               |
| B-3. Telegraph and Telephone ..                  | 2,000.00    |               |
| B-4. Repairs .....                               | 100.00      |               |
| B-5. Printing and Advertising ...                | 100.00      |               |
| C. Supplies:                                     |             |               |
| C-4. Office Supplies .....                       | 3,500.00    |               |
| C-8. Motor Vehicle Supplies ....                 | 2,000.00    |               |
| D. Fixed Charges and Contributions:              |             |               |
| D-1. Rents .....                                 | 1,666.67    |               |
| D-2. Insurance .....                             | 500.00      |               |
| D-3. Contributions .....                         | 875.00      |               |
| G. Equipment:                                    |             |               |
| G-1. Office Equipment .....                      | 200.00      |               |
| <hr/>  |             |               |
| Total (Item 1) For Administration                |             | \$ 184,939.67 |
| Item 2. Motor Transport Division:                |             |               |
| A. Personal Service:                             |             |               |
| A-1. <i>Salaries:</i>                            |             |               |
| Director .....                                   | \$ 8,637.00 |               |
| Office Assistant .....                           | 6,000.00    |               |
| Chief Clerk .....                                | 5,348.00    |               |
| Cashier .....                                    | 6,000.00    |               |
| Insurance Clerk .....                            | 3,964.25    |               |
| Stenographer .....                               | 4,635.25    |               |
| Steno-Clerk .....                                | 4,312.25    |               |
| Steno-Clerk .....                                | 3,754.25    |               |
| Clerk .....                                      | 3,600.00    |               |
| Chief Inspector, District No. 1                  | 6,000.00    |               |

|  |             |               |
|--|-------------|---------------|
| Chief Inspector, District No. 2                          | 6,000.00    |               |
| Inspectors .....   | 84,719.00   |               |
| A-3. Special Payments:                                   |             |               |
| Experts, Investigations and<br>Extra Clerical Help ..... | 700.00      |               |
| B. Contractual Services:                                 |             |               |
| B-2. Travel .....  | 52,650.00   |               |
| B-3. Telegraph and Telephone ..                          | 1,760.00    |               |
| B-4. Repairs .....                                       | 200.00      |               |
| B-6. Water, Heat, Light and<br>Power .....               | 21.00       |               |
| C. Supplies:   |             |               |
| C-4. Office Supplies .....                               | 4,000.00    |               |
| C-8. Motor Vehicle Supplies ....                         | 750.00      |               |
| C-12. Other Supplies (License<br>Plates) .....           | 1,550.00    |               |
| D. Fixed Charges and Contributions:                      |             |               |
| D-1. Rents .....   | 1,680.00    |               |
| D-2. Insurance .....                                     | 879.00      |               |
| G. Equipment:  |             |               |
| G-1. Office Equipment .....                              | 360.00      |               |
| <hr/>  |             |               |
| Total (Item 2) Motor Transport<br>Division .....         |             | \$ 207,520.00 |
| Item 3. Utilities Division:                              |             |               |
| A. Personal Service:                                     |             |               |
| A-1. <i>Salaries:</i>                                    |             |               |
| Director .....   | \$ 8,221.00 |               |
| Assistant Director .....                                 | 7,500.00    |               |
| Accountant .....   | 6,050.00    |               |
| Engineers (2) .....                                      | 12,000.00   |               |
| Field Inspector .....                                    | 5,995.00    |               |
| Typist .....   | 1,833.00    |               |
| Stenographers (2) .....                                  | 8,150.00    |               |
| B. Contractual Services:                                 |             |               |
| B-2. Travel .....  | 4,500.00    |               |
| B-3. Telegraph and Telephone ..                          | 600.00      |               |
| C. Supplies:   |             |               |
| C-8. Motor Vehicle Supplies ....                         | 750.00      |               |

For additional experts, expenses  
of witnesses, supplies,  
travel and other necessary  
expenses ..... 1,000.00

Total (Item 3) Utilities Division .. \$ 56,599.00

TOTAL (Public Service Commission) \$ 449,058.67

*Provided*, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1962.

*Provided, Further*, That all public service companies doing business in this State, shall, on or before June 30, 1963, furnish the Comptroller General in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1962.

*Provided, Further*, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

*Provided, Further*, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

*Provided, Further*, That the Commission, within its discretion, may prorate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

## SECTION 65

### South Carolina Aeronautics Commission

#### Item 1. For Administration:

##### A. Personal Service:

##### A-1. Salaries:

|                               |              |
|-------------------------------|--------------|
| Director .....                | \$ 10,455.00 |
| Assistant Director .....      | 6,818.00     |
| Secretary to Commission ..... | 3,600.00     |
| Office Manager .....          | 5,100.00     |
| Stenographer .....            | 3,000.00     |

|   |              |              |
|---|--------------|--------------|
| A-2. Wages:   |              |              |
| Janitor .....   | 1,611.00     |              |
| A-3. Special Payments .....                               | 6,500.00     |              |
|   |              | <hr/>        |
| Total (Item 1) For Administration                         |              | \$ 37,084.00 |
| Item 2. For Regulation, Training and Inspection:          |              |              |
| A. Personal Service:                                      |              |              |
| A-1. <i>Salaries</i> :                                    |              |              |
| Flight Inspector .....                                    | \$ 5,900.00  |              |
|   |              | <hr/>        |
| Total (Item 2) For Regulation, Training and Inspection .. |              | \$ 5,900.00  |
| Item 3. For Airport Maintenance:                          |              |              |
| A. Personal Service:                                      |              |              |
| A-1. <i>Salaries</i> :                                    |              |              |
| Chief Supervisor .....                                    | \$ 6,005.00  |              |
| Electrician .....   | 3,900.00     |              |
| Machine Operators .....                                   | 17,115.00    |              |
| A-2. Wages:   |              |              |
| Laborers .....  | 4,096.00     |              |
| Temporary Help .....                                      | 4,500.00     |              |
|   |              | <hr/>        |
| Total (Item 3) For Airport Maintenance .....              |              | \$ 35,616.00 |
| Item 4. For Equipment Maintenance:                        |              |              |
| A. Personal Service:                                      |              |              |
| A-1. <i>Salaries</i> :                                    |              |              |
| Shop Foreman .....  | \$ 4,500.00  |              |
| Mechanic .....  | 3,900.00     |              |
|   |              | <hr/>        |
| Total (Item 4) For Equipment Maintenance .....            |              | \$ 8,400.00  |
| Item 5. For Operation:                                    |              |              |
| B. Contractual Services:                                  |              |              |
| B-2. Travel .....   | \$ 11,000.00 |              |
| B-3. Telegraph and Telephone ..                           | 2,700.00     |              |
| B-4. Repairs .....  | 9,000.00     |              |
| B-5. Printing and Advertising ..                          | 1,000.00     |              |

|   |          |               |
|---|----------|---------------|
| B-6. Water, Heat, Light and Power .....                     | 7,300.00 |               |
| B-7. Other Contractual Services .....                       | 5,000.00 |               |
| C. Supplies:  |          |               |
| C-4. Office Supplies .....                                  | 3,000.00 |               |
| C-8. Motor Vehicle Supplies .....                           | 4,500.00 |               |
| C-11. Other Supplies .....                                  | 500.00   |               |
| D. Fixed Charges and Contributions:                         |          |               |
| D-1. Rents .....  | 50.00    |               |
| D-2. Insurance .....  | 5,500.00 |               |
| D-3. Contributions .....                                    | 800.00   |               |
| G. Equipment:   |          |               |
| G-1. Office Equipment .....                                 | 500.00   |               |
| G-4. Motor Vehicles and Equipment .....                     | 3,000.00 |               |
| Total (Item 5) For Operation ....                           |          | \$ 53,850.00  |
| Item 6. Maintenance and Improvements of Airports .....      |          | \$ 55,000.00  |
| Item 7. Special Maintenance Fund for State System Airports: |          |               |
| A. Personal Service:  |          |               |
| A-1. <i>Salaries:</i>                                       |          |               |
| Resident Maintenance Supervisors .....                      |          | \$ 14,504.00  |
| TOTAL (South Carolina Aeronautics Commission) .....         |          | \$ 210,354.00 |

**SECTION 66**

## State Development Board

## Item 1. For Administration:

A-1. *Salaries:*

|                                |              |
|--------------------------------|--------------|
| Director .....                 | \$ 18,000.00 |
| Assistant Director .....       | 12,000.00    |
| Administrative Assistant ..... | 6,050.00     |
| Industrial Agent .....         | 7,950.00     |
| Senior Stenographer .....      | 3,381.00     |
| Supply Room Clerk .....        | 2,448.00     |

|  |           |               |
|--|-----------|---------------|
| Industrial Engineer .....                      | 10,500.00 |               |
| Secretary to Assistant Director .....          | 4,335.00  |               |
| Senior Stenographer .....                      | 3,719.00  |               |
| Senior Stenographer .....                      | 3,719.00  |               |
| Junior Accountant .....                        | 5,247.00  |               |
| Field Men .....                                | 39,667.28 |               |
| Agricultural and Internal Industries Division: |           |               |
| Assistant Director .....                       | 14,310.00 |               |
| Agricultural Industries                        |           |               |
| Specialist .....                               | 9,000.00  |               |
| Industrial Markets Specialist ..               | 8,679.00  |               |
| Secretary .....                                | 4,314.00  |               |
| A-3. Special Payments:                         |           |               |
| Board Members (5) .....                        | 2,000.00  |               |
| Clerical Help .....                            | 1,500.00  |               |
| B. Contractual Services:                       |           |               |
| B-1. Freight, Express and Deliveries .....     |           |               |
|  | 300.00    |               |
| B-2. Travel and Promotional Activities .....   |           |               |
|  | 35,000.00 |               |
| B-3. Telegraph and Telephone ..                | 15,000.00 |               |
| B-4. Repairs .....                             | 5,000.00  |               |
| B-7. Other Contractual Services:               |           |               |
| (a) Matching Funds for USGS                    |           |               |
| Water Investigations, etc.                     | 32,000.00 |               |
| C. Supplies:                                   |           |               |
| C-4. Office Supplies .....                     | 12,000.00 |               |
| C-7. Educational Supplies .....                | 1,500.00  |               |
| C-8. Motor Vehicle Supplies ....               | 4,000.00  |               |
| C-12. Other Supplies .....                     | 150.00    |               |
| D. Fixed Charges and Contributions:            |           |               |
| D-1. Rents .....                               | 6,500.00  |               |
| D-2. Insurance .....                           | 1,500.00  |               |
| D-3. Contributions .....                       | 100.00    |               |
| G. Equipment:                                  |           |               |
| G-1. Office Equipment .....                    | 3,000.00  |               |
| G-2. Motor Vehicle Equipment ..                | 6,000.00  |               |
| G-8. Other Equipment .....                     | 150.00    |               |
| Total (Item 1) Administration ....             |           | \$ 279,019.28 |

## Item 2. Division of Geology:

## A. Personal Service:

A-1. *Salaries:*

|                           |              |
|---------------------------|--------------|
| State Geologist .....     | \$ 10,494.00 |
| Secretary .....           | 4,325.00     |
| Project Geologist .....   | 8,400.00     |
| Ceramics Consultant ..... | 1,500.00     |
| Draftsman .....           | 650.00       |
| Field Assistants .....    | 1,260.00     |

## B. Contractual Services:

|   |          |
|---|----------|
| B-2. Travel .....                                 | 3,000.00 |
| B-4. Repairs .....                                | 750.00   |
| B-5. Printing, Binding and Ad-<br>vertising ..... | 2,000.00 |
| B-7. Other Contractual Services                   | 400.00   |

## C. Supplies:

|                                   |        |
|-----------------------------------|--------|
| C-7. Educational Supplies .....   | 250.00 |
| C-8. Motor Vehicle Supplies ..... | 750.00 |
| C-12. Other Supplies .....        | 500.00 |

## G. Equipment:

|                            |        |
|----------------------------|--------|
| G-8. Other Equipment ..... | 250.00 |
|----------------------------|--------|

---

Total (Item 2) Division of Geology \$ 34,529.00

## Item 3. Travel and Information

## Division:

## A. Personal Service:

A-1. *Salaries:*

|                          |              |
|--------------------------|--------------|
| Director .....           | \$ 10,600.00 |
| Assistant Director ..... | 7,700.00     |
| Secretary .....          | 3,719.00     |
| Clerk—Typist .....       | 2,860.00     |

## B. Contractual Services:

|  |            |
|--|------------|
| B-5. Printing, Binding and Ad-<br>vertising: |            |
| Tourist and Industrial .....                 | 225,000.00 |

---

Total (Item 3) Travel and Information Division \$ 249,879.00

## Item 4. Research Division:

## A. Personal Service:

A-1. *Salaries:*

|                          |             |
|--------------------------|-------------|
| Chief of Research .....  | \$ 8,123.00 |
| Research Assistant ..... | 5,000.00    |
| Research Secretary ..... | 3,300.00    |

---

Total (Item 4) Research Division .. \$ 16,423.00

## Item 5. Aircraft Operation and Maintenance:

## A. Personal Service:

A-1. *Salaries:*

|                                |             |
|--------------------------------|-------------|
| Chief Pilot and Field Man .... | \$ 8,800.00 |
| Co-Pilot and Field Man .....   | 6,050.00    |
| Substitute Crew Member .....   | 800.00      |

## B. Contractual Services:

|  |           |
|--|-----------|
| B-1. Travel and Promotional Activities ..... | 3,500.00  |
| B-3. Telegraph and Telephone ..              | 10.00     |
| B-4. Repairs .....                           | 15,000.00 |
| B-6. Water, Heat, Light and Power .....      | 50.00     |

## C. Supplies:

|   |           |
|---|-----------|
| C-7. Educational Supplies .....                     | 100.00    |
| C-8. Aviation Fuel and Motor Vehicle Supplies ..... | 12,500.00 |

## D. Fixed Charges and Contributions:

|                                |          |
|--------------------------------|----------|
| D-2. Insurance .....           | 5,000.00 |
| D-3. Contributions and Dues .. | 250.00   |

## G. Equipment:

|                             |        |
|-----------------------------|--------|
| G-1. Office Equipment ..... | 150.00 |
|-----------------------------|--------|

---

Total (Item 5) Aircraft Operation and Maintenance ..... \$ 52,210.00

---

Total (State Development Board) ..... \$ 632,060.28

**SECTION 67**

## Civil Defense Agency

|                                   |              |
|-----------------------------------|--------------|
| Personal Service .....            | \$ 66,173.00 |
| Contractual Services .....        | 9,850.00     |
| Supplies .....                    | 4,900.00     |
| Fixed Charges .....               | 4,000.00     |
| Equipment .....                   | 5,000.00     |
| Contingencies .....               | 2,120.00     |
| <hr/>                             |              |
| TOTAL (Civil Defense Agency) .... | \$ 92,043.00 |

**SECTION 68**

## Miscellaneous Appropriations

|  |               |
|--|---------------|
| Item 1. To the Workmen's Compensation Fund to cover Compensation Insurance for State employees ..... | \$ 125,000.00 |
| Item 2. Woodrow Wilson Home—Maintenance Repairs ....   | 2,650.00      |
| Item 3. Rocky Bottom Camp .....  | 2,400.00      |
| Item 4. Regional Education Board: Scholarships .....   | 265,500.00    |
| Administration .....   | 4,100.00      |
| Item 5. Atlantic States Marine Fisheries Commission Dues ..  | 900.00        |
| Item 6. South Carolina School Committee .....  | 25,000.00     |
| Item 7. Poet Laureate .....  | 1,200.00      |
| Item 8. Confederate War Centennial Commission .....  | 35,000.00     |
| Item 10. Committee on Mental Health and Mental Institutions ..                                       | 4,000.00      |
| Item 11. Judicial Council .....  | 11,500.00     |
| Item 12. S. C. Defense Scholarship Fund .....  | 100,000.00    |
| Item 16. Forest Study Committee ...  | 2,500.00      |
| Item 19. Senatorial Research Committee .....   | 1,000.00      |

|  |              |               |
|--|--------------|---------------|
| Item 20. Committee to Study Communist Activities .....   |              | 35,000.00     |
| Item 26. Nuclear Energy and Space Commission:  |              |               |
| A. Personal Service:   |              |               |
| A-1. <i>Salaries:</i>  |              |               |
| Director .....   | \$ 10,000.00 |               |
| Secretary .....  | 5,000.00     |               |
| A-3. Special Payments .....  | 1,250.00     |               |
| B. Contractual Services:   |              |               |
| B-1. Freight, Express and Deliveries .....   | 100.00       |               |
| B-2. Travel and Promotional Activities .....   | 4,500.00     |               |
| B-3. Telephone and Telegraph ..  | 2,000.00     |               |
| B-4. Repairs to Office Equipment ..  | 200.00       |               |
| B-5. Printing, Binding and Advertising .....   | 500.00       |               |
| B-7. Other Contractual Services ..   | 2,000.00     |               |
| C. Supplies:   |              |               |
| C-4. Office Supplies .....   | 1,000.00     |               |
| C-7. Educational Supplies .....  | 400.00       |               |
| D. Fixed Charges and Contributions:  |              |               |
| D-1. Rent .....  | 2,000.00     |               |
| D-2. Insurance .....   | 200.00       |               |
| D-3. Contributions and Dues ..   | 200.00       |               |
| E. Contingencies .....   | 1,000.00     |               |
| G. Equipment:  |              |               |
| G-1. Office Equipment .....  | 150.00       |               |
| Total (Item 26) .....  |              | \$ 30,500.00  |
| Item 28. Beach Erosion Control .....   |              | \$ 100,000.00 |
| Item 29. Aeronautics Commission: To provide participating State Funds for the Construction or completion of airports at the following locations: |              |               |
| Abbeville .....  | \$ 9,000.00  |               |
| Gaffney .....  | 25,000.00    |               |
| Clemson .....  | 70,000.00    |               |

|  |           |               |
|--|-----------|---------------|
| Loris .....  | 20,000.00 |               |
| York .....   | 5,000.00  |               |
|  | <hr/>     |               |
| Total (Item 29) .....  |           | \$ 129,000.00 |
| Item 30. To provide an emergency fund<br>for pest control for use by<br>South Carolina Crop Pest<br>Commission and South<br>Carolina Forestry Commis-<br>sion, allotments to be ap-<br>proved by the State Budget<br>and Control Board ..... |           | \$ 100,000.00 |
| Item 31. Oconee State Park, for re-<br>pairs .....   |           | \$ 5,600.00   |
| Item 33. Archaeological Research ...   |           | \$ 11,975.00  |
|  | <hr/>     |               |
| TOTAL (Miscellaneous Appropria-<br>tions) .....  |           | \$ 992,825.00 |

*Provided*, That warrants for the disbursement of the appropriation in Item 5 of this section shall be approved by the Executive Committeeman from South Carolina.

*Provided, Further*, That of the amount appropriated in Item 4 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and Out-of-State tuition fees for non-contract students, not to exceed, however, the sum of \$350.00 for any medical or dental student, nor the sum of \$300.00 for any student of veterinary medicine, landscape architecture, optometry, Physical Therapy, Occupational Therapy, chiropractics, and students for Insurance Actuary. *Provided, Further*, That when any such non-contract student is approved by the State Board the payment provided herein shall be made directly to the institution or school involved for the account of such student.

*Provided, Further*, That out of the amount appropriated in Item 4 of this Section for scholarships, a sum not in excess of \$60,000.00, may be used by the South Carolina Regional Educational Board to provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge

at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

*Provided, Further,* That funds appropriated in Item 4 of this section for Scholarships (Grant-in-Aid) for study at private or state-supported institutions shall be only in fields of study offered by some state-supported institution in the United States; however, this proviso shall not apply to chiropractics.

*Provided, Further,* That any balance on June 30, 1963, in the appropriation for "an expanded program of research" may be carried forward and expended for the same purpose, with the approval of the State Budget and Control Board, during fiscal year 1963-64.

### SECTION 69

#### Contributions

|  |                    |
|--|--------------------|
| Item 1. Association of the Blind . . . .                       | \$ 25,000.00       |
| Item 2. Confederate Museum . . . . .                           | 100.00             |
| Item 3. Spanish War Veterans . . . . .                         | 1,000.00           |
| Item 4. Council State Governments . .                          | 10,000.00          |
| Item 5. Carolina Orphan Home . . . .                           | 25,000.00          |
| Item 6. Oakley Park Red Shirt Shrine .                         | 1,800.00           |
| Item 7. Commission on Uniform State<br>Laws . . . . .          | 850.00             |
| Commission on Uniform State<br>Laws—Travel . . . . .           | 900.00             |
| Item 8. The Florence Crittenton<br>Home (Charleston) . . . . . | 4,500.00           |
| Item 9. Civil Air Patrol . . . . .                             | 15,000.00          |
| TOTAL (Contributions) . . . . .                                | <hr/> \$ 84,150.00 |

### SECTION 70

#### Aid to Subdivisions

##### Item 1. Aid to Counties:

|                                 |                 |
|---------------------------------|-----------------|
| Income Tax . . . . .            | \$ 3,825,000.00 |
| Alcoholic Liquors Tax . . . . . | 2,160,000.00    |
| Beer and Wine Tax . . . . .     | 654,500.00      |
| Insurance Tax . . . . .         | 1,745,000.00    |
| Bank Tax . . . . .              | 330,000.00      |
| Gasoline Tax . . . . .          | 7,700,000.00    |

|                                      |                     |
|--------------------------------------|---------------------|
| Total (Item 1) Aid to Counties . . . | <hr/> 16,414,500.00 |
|--------------------------------------|---------------------|

## Item 2. Aid to Municipalities:

|                             |                 |
|-----------------------------|-----------------|
| Alcoholic Liquors Tax ..... | \$ 1,620,000.00 |
| Beer and Wine Tax .....     | 748,000.00      |
| Insurance Tax .....         | 180,000.00      |
| Bank Tax .....              | 165,000.00      |
| Motor Transport Fees .....  | 790,000.00      |

|                                      |                        |
|--------------------------------------|------------------------|
| Total (Item 2) Aid to Municipalities | <u>\$ 3,503,000.00</u> |
|--------------------------------------|------------------------|

|                                   |                      |
|-----------------------------------|----------------------|
| TOTAL (Aid to Subdivisions) ..... | <u>19,917,500.00</u> |
|-----------------------------------|----------------------|

*Provided*, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

**SECTION 71**

## State Highway Department

For Operation, Maintenance and Construction:

|   |                      |
|---|----------------------|
| General Administration .....                      | \$ 852,700.00        |
| Engineering Administration .....                  | 518,000.00           |
| Motor Vehicle Administration .....                | 1,426,300.00         |
| General Expense .....                             | 260,600.00           |
| Highway Maintenance .....                         | 17,150,000.00        |
| State Institutions .....                          | 100,000.00           |
| State Parks .....                                 | 50,000.00            |
| Damage Claims .....                               | 150,000.00           |
| Highway Patrol .....                              | 3,808,200.00         |
| School Bus Driver Training .....                  | 42,000.00            |
| Debt Service .....                                | 489,875.00           |
| FICA, Retirement and Workmen's Compensation ..... | 1,780,000.00         |
| Radio Maintenance .....                           | 5,000.00             |
| Equipment and Supply Costs .....                  | 138,000.00           |
| Equipment Purchases .....                         | 1,955,900.00         |
| Land and Buildings .....                          | 350,000.00           |
| Debt Retirement .....                             | 4,080,000.00         |
| Highway Construction and other purposes .....     | <u>25,559,675.00</u> |

|                                 |                      |
|---------------------------------|----------------------|
| TOTAL (Highway Department) .... | <u>58,716,250.00</u> |
|---------------------------------|----------------------|

*Provided*, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bond sales.

*Provided, Further*, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

*Provided, Further*, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

*Provided, Further*, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

*Provided, Further*, That the State Highway Department may set aside and deposit in its name the sum of three hundred fifty thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

*Provided, Further*, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

*Provided, Further*, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner.

*Provided, Further*, That employees of the State Highway Department shall receive a wage of not less than \$1.00 per hour, and no employee shall receive less than \$8.00 for an eight-hour work day.

*Provided, Further*, That the State Highway Department is hereby authorized to charge a fee of \$1.00 each for furnishing certified copies of abstracts of operating records of drivers in the administration of the Motor Vehicle Safety Responsibility Act of 1952, as amended; and also may establish an appropriate schedule of fees to be charged for copies of other records, lists, bidders' proposals, plans, maps, etc., based upon approximate actual costs of producing such copies,

lists, bidders' proposals, plans, maps, etc., which schedule shall be effective upon approval by the State Highway Commission.

*Provided, Further,* That the Highway Department may sell any materials, supplies, or equipment classified as obsolete, surplus, or junk for which the Department has no further need, or offer same for trade-in on the purchase of new materials or equipment. All such sales of obsolete, surplus or junk materials or equipment by the Department shall be to the highest bidder not less than 10 days after having been advertised in a newspaper of statewide circulation at least once. *Provided,* That items having a value of less than \$25.00 may be disposed of by sale in the most advantageous way to the Department, and *provided further,* that the State Highway Department may make negotiated sales of surplus materials, equipment and supplies to county, state, and municipal agencies on a mutually agreed upon basis. All proceeds from the sale of such obsolete, surplus or junk material, supplies, and equipment shall be credited to the State Highway Fund.

*Provided, Further,* That the State Highway Department shall pay into the General Fund of the State the sum of \$387,250.00 as its proportionate share of the cost of administration of the following departments:

|                                     |                    |
|-------------------------------------|--------------------|
| State Treasurer's Office .....      | \$ 23,500.00       |
| Comptroller General's Office .....  | 28,000.00          |
| Attorney General's Office .....     | 115,000.00         |
| State Budget and Control Board:     |                    |
| Purchasing Division .....           | 29,000.00          |
| State Tax Commission:               |                    |
| Collection of Highway Revenue ..... | 191,750.00         |
| Total .....                         | <hr/> \$387,250.00 |

## SECTION 72

### Recapitulation

#### *Maintenance and Operation:*

|   |               |
|---|---------------|
| Section 3. Legislative Department ..... | \$ 887,757.00 |
| Section 4. Judicial Department .....    | 704,625.00    |

#### **Executive and Administrative Division**

|   |            |
|---|------------|
| Section 5. Governor's Office .....            | 734,566.50 |
| Section 6. Lieutenant Governor's Office ..... | 7,340.00   |
| Section 7. Secretary of State .....           | 77,601.20  |

|             |                           |              |
|-------------|---------------------------|--------------|
| Section 8.  | Comptroller General ..... | 692,070.00   |
| Section 9.  | Attorney General .....    | 357,548.50   |
| Section 10. | State Treasurer .....     | 2,313,855.76 |
| Section 11. | Adjutant General .....    | 247,632.28   |

**Educational Division**

|             |  |               |
|-------------|--|---------------|
| Section 12. | University of South Carolina .....                 | 4,738,625.00  |
| Section 13. | The Citadel .....                                  | 1,830,458.00  |
| Section 14. | Clemson College (Collegiate Activities) ..         | 4,095,820.00  |
| Section 15. | Winthrop College .....                             | 1,925,222.00  |
| Section 16. | State Medical College .....                        | 3,022,708.96  |
| Section 17. | S. C. State College .....                          | 1,747,263.00  |
| Section 18. | John de la Howe School .....                       | 237,737.00    |
| Section 19. | School for the Deaf and the Blind .....            | 655,666.00    |
| Section 20. | State Superintendent of Education ...              | 83,110,723.50 |
| Section 21. | South Carolina Opportunity School ...              | 205,205.00    |
| Section 22. | State Agency of Vocational Rehabilitation          | 650,000.00    |
| Section 23. | State Educational Finance Commission ..            | 20,966,215.75 |
| Section 24. | Educational Television Commission ...              | 1,501,846.00  |
| Section 25. | State Library Board .....                          | 116,453.00    |
| Section 26. | State Schoolbook Commission .....                  | 78,988.00     |
| Section 27. | Advisory Committee for Technical<br>Training ..... | 1,595,795.00  |
| Section 28. | Archives Department .....                          | 122,782.00    |
| Section 29. | State Library .....                                | 11,648.70     |
| Section 30. | Confederate Relic Room .....                       | 3,800.00      |

**Correctional and Welfare Division**

|             |   |              |
|-------------|---|--------------|
| Section 31. | Department of Public Welfare .....      | 7,866,000.00 |
| Section 32. | S. C. Mental Health Commission .....    | 423,386.53   |
| Section 33. | State Hospital .....                    | 8,574,271.00 |
| Section 34. | Pineland Training School .....          | 507,071.00   |
| Section 35. | Whitten Village .....                   | 2,735,486.50 |
| Section 36. | South Carolina Sanatorium .....         | 1,194,800.00 |
| Section 37. | S. C. Alcoholic Center .....            | 164,507.42   |
| Section 38. | Children's Bureau .....                 | 115,277.00   |
| Section 39. | Probation, Parole and Pardon Board ...  | 463,182.00   |
| Section 40. | Department of Corrections .....         | 1,627,377.70 |
| Section 41. | State Industrial Schools' Board .....   | 53,731.00    |
| Section 42. | South Carolina School for Boys .....    | 324,633.00   |
| Section 43. | Industrial School for Girls .....       | 152,538.00   |
| Section 44. | John G. Richards Industrial School ...  | 246,950.00   |
| Section 45. | Industrial School for Negro Girls ..... | 97,950.00    |

**Regulatory Division**

|             |  |               |
|-------------|--|---------------|
| Section 46. | State Budget and Control Board .....                 | 18,286,268.70 |
| Section 47. | Board of Health .....                                | 2,941,169.00  |
| Section 48. | Water Pollution Control Authority ....               | 85,818.00     |
| Section 49. | State Dairy Commission .....                         | 74,672.00     |
| Section 50. | Tax Commission .....                                 | 3,736,044.42  |
| Section 51. | Insurance Department .....                           | 741,680.00    |
| Section 52. | Contractors' Licensing Board .....                   | 31,597.00     |
| Section 53. | State Service Bureau .....                           | 298,280.00    |
| Section 54. | Department of Agriculture .....                      | 693,356.00    |
| Section 55. | State Agricultural Marketing Commission              | 49,249.00     |
| Section 56. | State Forestry Commission .....                      | 2,395,292.00  |
| Section 57. | Clemson College (Public Service<br>Activities) ..... | 2,825,764.00  |
| Section 58. | State Soil Conservation Committee ....               | 63,650.00     |
| Section 59. | Department of Labor .....                            | 211,683.00    |
| Section 61. | Industrial Commission .....                          | 331,976.00    |
| Section 62. | Wildlife Resources Department .....                  | 264,379.90    |
| Section 63. | Board of Bank Control .....                          | 282,923.60    |
| Section 64. | Public Service Commission .....                      | 449,058.67    |
| Section 65. | Aeronautics Commission .....                         | 210,354.00    |
| Section 66. | State Development Board .....                        | 632,060.28    |
| Section 67. | Civil Defense Agency .....                           | 92,043.00     |

**Miscellaneous Division**

|             |                                    |               |
|-------------|------------------------------------|---------------|
| Section 68. | Miscellaneous Appropriations ..... | 992,825.00    |
| Section 69. | Contributions Division .....       | 84,150.00     |
| Section 70. | Aid to Subdivisions .....          | 19,917,500.00 |

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Total General Fund Operating .....

Section 71. Highway Department .....

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GRAND TOTAL .....

**SECTION 73.** The expenditure of moneys appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated

in the requisition. *Provided, However, That*, upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

**SECTION 74.** Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

*Provided, Further,* That at all state institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

**SECTION 75.** During the fiscal year 1963-64 the State's institutions of higher learning shall maintain rates not less than those charged during the year 1962-63 for tuition, maintenance, and all other costs heretofore borne by those attending the said institutions, except the student activity fee, the amount of which may be fixed by the respective boards of trustees, and in all cases it is hereby required that such institutions shall charge fees which will fully cover all subsistence, laundry, infirmary treatment, and such other personal expenses, *Provided, Further,* That the University of South Carolina, The Citadel, Clemson College, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical College Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer,

to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 73 of this Act, and expended to fulfill the purpose for which such fees or income were levied; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, shall not be considered as State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1963, both summer school and summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

**SECTION 76.** All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1963-64, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable therefor, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

**SECTION 77.** Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. *Provided,* That any such Federal aid or grant must be approved by the State Budget and Control Board before being accepted by such department, institution or other agency. *Provided, Further,* That donations or contributions from sources other than the Federal Government, for use by any state agency, shall

be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

**SECTION 78.** Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as may be determined by the officer in charge of such appropriation. *Provided, Further,* That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

*Provided, Further,* That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

**SECTION 79.** That salaries paid to officers and employees of the State, including its several boards, commissions and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However,* That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, Whitten Village, and the S. C. Sanatorium, when the cash compensation of such employees is \$3,800.00 or less per year. *Provided, Further,* That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further,* That the Farm Director, Farm Managers and specialists employed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

*Provided, Further,* That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from

all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

**SECTION 80.** That the authorities of all institutions and departments for which a lump sum appropriation is made shall make an itemized report to the State Budget and Control Board of all expenditures at such intervals as may be required by said Board.

*Provided, Further,* That no part of such lump sum appropriations shall be used for permanent improvements unless specifically authorized herein.

**SECTION 81.** That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act, shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the same to be paid from the approved accounts of the respective houses. *Provided, However,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, Further,* That all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, Further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

**SECTION 82.** That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of \$10.00 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed, except that the members of the Public Service Commission may be reimbursed at the regular mileage rate for one round trip each week from their respective homes to Columbia and may receive the regular subsistence allowance of other State employees for not exceeding three days in any week while in Columbia on official

business. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided*, That members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided*, *Further*, That employees of the State traveling outside of the State on official business, shall be allowed the sum of \$12.50 per day as subsistence expenses, except that the Governor, Lieutenant Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. *Provided*, *Further*, That each Circuit Judge while holding Court within or without the circuit in which he resides, and each Justice of the Supreme Court, while attending the sessions of said Court at Columbia, shall be allowed the sum of fifteen (\$15.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. Two members of the Supreme Court shall be allowed actual subsistence and travel expenses while attending the National Convention of Chief Justices, and two Circuit Judges while attending the National Conference of State Trial Judges. *Provided*, *Further*, Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand, or greater, population, such employees shall be allowed the sum of \$2.50 per day additional as subsistence expenses.

The State Budget and Control Board is authorized to promulgate and publish regulations governing the application of the above-provided rates of travel of State employees.

That when an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge of 9 cents per mile will be allowed for the use of such automobile, and the employee shall bear the expense of supplies and upkeep thereof. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. *Provided*, That in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

**SECTION 83.** That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

**SECTION 84.** That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten (\$10.00) Dollars per day. *Provided*, That no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

**SECTION 85.** That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further*, That no State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson College, and Winthrop College.

**SECTION 86.** Foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

**SECTION 87.** The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson College, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; the said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State; the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

**SECTION 88.** In addition to the powers and duties devolved upon the Budget and Control Board by the 1962 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State, that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to construction by any other means. *Provided, Further,* That the State Budget and Control Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

*Provided, Further,* That the State Budget and Control Board shall have made a study of the facilities of the State House with particular respect to office and other space requirements of the General Assembly.

**SECTION 89.** Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized

and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided*, That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further*, That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further*, That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further*, That no such reduction shall be ordered by the State Budget and Control Board while the General Assembly is in session without first reporting such necessity to the General Assembly.

*Provided, Further*, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

*Provided, Further*, That the disbursement of all funds appropriated in this act for educational purposes shall be in the discretion of the State Budget and Control Board.

*Provided, Further*, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

**SECTION 90.** That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

**SECTION 91.** That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the

State Government shall lapse on August 31, 1964. *Provided, That* appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

**SECTION 92.** Notwithstanding the provisions of Sections 61-33 and 61-34 of the 1962 Code, as amended, any person who was elected to serve in the 95th General Assembly may become a member of the South Carolina Retirement System on or before December 31, 1963, and receive credit for all previous service in conformity with the South Carolina Retirement Act and the Rules and Regulations of the Retirement Board.

End of Part I

## PART II

### Permanent Provisions

**SECTION 1. Following sections to be permanent laws.**—It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

**SECTION 2. Salaries of justices.**—Section 15-103, Code of Laws of South Carolina, 1962, is amended to read as follows:

“Section 15-103. The Chief Justice shall receive an annual salary of \$19,500.00 and the Associate Justices shall each receive an annual salary of \$19,000.00. They shall not be allowed any fees or perquisites of office, nor shall they hold any other office of trust or profit under the State, the United States, or any other power.”

**SECTION 3. Salaries of circuit judges.**—Section 15-212, Code of Laws of South Carolina, 1962, is amended to read as follows:

“Section 15-212. The Circuit Judges shall each receive an annual salary of \$19,000.00.”

**SECTION 4. Salary of Governor.**—Section 1-102, Code of Laws of 1962, is hereby amended by striking out the contents of said section and substituting therefor the following:

“Effective with the term beginning in January, 1963, the Governor shall receive an annual salary of \$20,000.00.”

**SECTION 5. Office hours of state offices.**—Section 1-40, Code of Laws of South Carolina, 1962 is amended to read as follows:

“Section 1-40 Office hours.—The departments of the State government except where seven day per week services are maintained, shall remain open from nine A. M. until five P. M. from Monday through Friday, both inclusive, except on holidays fixed by law. On Saturdays such departments may close at one P. M. Skeleton forces may be maintained on Saturday and so staggered that each employee shall work not less than one Saturday out of each month; provided, that the offices of the State Highway Department shall remain open from 8:30 A. M. until 5:00 P. M. from Monday through Friday, both inclusive, except on holidays fixed by law and these offices need not be kept open on Saturdays, except as may be necessary to carry on essential work. The provisions of this section shall become effective immediately upon the approval of this Act by the Governor.”

**SECTION 6. Publicly owned motor vehicles to have special license plates.**—The State Highway Department shall design and supply, at an appropriate fee, a special license plate, or supplemental plate or attachment, for use on all publicly owned motor vehicles operated by any department or institution of the State of South Carolina, or any of its political subdivisions. It shall be unlawful for any such publicly owned vehicle to be operated in the State of South Carolina that does not carry such official emblem or marker. *Provided, However,* that this provision shall not apply to the automobile supplied for the Governor's personal use, automobiles supplied to Law Enforcement Officers, when in the opinion of the Chief of the South Carolina Law Enforcement Division it is advisable that such automobiles not be so marked, nor to automobiles supplied to Statewide elective State officials.

**SECTION 7. Payment of contributions to Retirement System for employees of Technical Training Schools.**—Amend Section 61-80 of the 1962 Code of Laws of South Carolina by adding the following proviso:

*“Provided, Further, That all employers’ contributions for employees of the various county Technical Training Schools shall be paid by the State, effective July 1, 1962.”*

**SECTION 8. South Carolina Department of Archaeology created.**—For the purpose of conducting archaeological research on behalf of the State there is hereby created the South Carolina Department of Archaeology, which shall be under the executive control of the State Archaeologist. The professor of American archaeology and anthropology on the faculty of the University of South Carolina who has the longest tenure in that capacity at the rank of assistant professor or higher at that institution shall serve as State Archaeologist. The State Archaeologist shall employ and determine the compensation of such personnel and make such other expenditures from funds appropriated for the department as he deems necessary, subject to the approval of the State Budget and Control Board. The State Archaeologist shall engage in no regular employment other than as a member of the faculty of the University of South Carolina or as State Archaeologist. For periods during which he devotes full or part time to the duties of the department and receives no compensation from the University, the State Archaeologist shall receive compensation at the same rate as that received for his services as a member of the faculty of the University.

**SECTION 9. State may issue notes for additional facilities for State Medical College, State Board of Corrections, Pineland, South Carolina School for Boys and for a new institution for mentally retarded children.**—As an incident to the authorizations herein made, the General Assembly has made the following findings:

1. The Medical College of South Carolina (the Medical College) requires an additional land area whereon to construct the additional facilities required for the proper functioning of the said institution. The Board of Trustees of the Medical College (the Board) has conducted negotiations with the Trustees of Porter Academy, an eleemosynary corporation chartered by Act No. 551 of 1910 (Porter Academy), looking to the acquisition by the Medical College of the present school site of Porter Academy, in the City of Charleston, which contains approximately eleven (11) acres, more or less, and which is located in the immediate area of the existing Medical College Hospital. Subject to approval by the General Assembly, agreements have been reached between the Board and Porter Academy under which it is proposed that in consideration for a conveyance

by Porter Academy to the Medical College of its present properties, the Medical College will pay to Porter Academy the sum of One Million One Hundred Thirty-six Thousand Dollars (\$1,136,000.00).

It has also been ascertained that the existing teaching facilities of the Medical College are in need of improvements and renovations estimated to cost in the neighborhood of One Hundred Thousand Dollars (\$100,000.00), and that \$50,000.00 is required for plans and other preliminary expenses incident to future buildings to be constructed on the Porter Academy site.

The General Assembly gives its approval to the acquisition by the Medical College of the present school site and properties of the Porter Academy in the City of Charleston, being that area of land, with the buildings thereon situate, bounded on the north by Bee Street, on the east by Ashley Avenue, on the south by Doughty Street, and on the west by President Street, for the purpose of providing the Medical College with additional land to be used for the functions of the Medical College, provided that the consideration to be paid to Porter Academy by the Board, and the terms and conditions of the conveyance to the Medical College, shall be first approved by the State Budget and Control Board (the State Board).

The General Assembly also gives its approval to (a) the improving and renovating of the existing teaching facilities of the Medical College, at an estimated cost of One Hundred Thousand Dollars (\$100,000.00), but not to exceed that sum which remains from One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) after paying the consideration and other expenses involved in acquiring the above described property from Porter Academy, and (b) the expenditure of not exceeding \$50,000.00 for plans and other preliminary expenses incident to future buildings to be constructed on the Porter Academy site.

2. The State Board of Corrections (the Board of Corrections) requires further penal facilities. The cost of acquiring a suitable site and constructing and equipping appropriate facilities thereon have been estimated to be One Million Five Hundred Thousand Dollars (\$1,500,000.00). The General Assembly gives its approval to the acquisition of additional penal facilities by the Board of Corrections and the expenditure of not exceeding \$1,500,000.00 to pay the cost of a site therefor and to construct and equip on said site suitable facilities.

3. A new facility for retarded children in the nature of that now operated at Whitten Village is found to be urgently needed. It is presently contemplated that the General Assembly will, at its present session, either create a new State agency for that purpose, or devolve that function on an existing State agency. Studies made indicate an expenditure of Two Million Dollars (\$2,000,000.00) will be required in order that a suitable site may be acquired and for the construction and equipping thereon of appropriate facilities. The General Assembly authorizes the State Board to acquire a suitable site and to construct and equip appropriate facilities thereon. If it shall occur that by subsequent legislation the function of operating the institution here contemplated shall be devolved upon a new State agency or upon an existing State agency, then in such event the acquisition of such a site and the construction and equipping thereon of the contemplated facilities shall be performed by such State Agency.

At its 1962 session, the General Assembly did, by the provisions of Section 10 of Act No. 767 appropriate Five Hundred Thousand Dollars (\$500,000.00) for the establishment and construction of a new facility for retarded children. No provision for the expenditure of said sum was made by said Act, and it has now been determined that such sum, together with the additional sums realized through the provisions of this section, should be used in the manner herein provided for the establishment and construction of a new institution for retarded children.

4. An infirmary and a dormitory, estimated to cost an aggregate of \$600,000.00, are found to be needed for Pineland, a Training School and Hospital for the mentally ill under 16 years of age, operated under the direction of the South Carolina Mental Health Commission. The General Assembly authorizes the South Carolina Mental Health Commission to construct and equip an infirmary and a dormitory on the site of the Pineland facility, at a cost of not exceeding \$600,000.00.

5. Further facilities, in the nature of a building to provide clinical and administrative services are found to be needed for the South Carolina School for Boys (formerly the South Carolina Industrial School for Boys) located in Florence County and operated under the direction of the Board of State Industrial Schools. Other repairs and improvements are also required necessitating in the aggregate an expenditure of \$140,000.00. The General Assembly authorizes the Board of State Industrial Schools to construct and equip further

facilities and to repair and improve existing facilities at the South Carolina School for Boys, in Florence County, at a cost of not exceeding \$140,000.00.

6. In order to provide funds for the expenditures authorized by this section, which are as follows:

- (a) for the Medical College, \$1,300,000.00;
- (b) for the Board of Corrections, \$1,500,000.00;
- (c) for a new institution for retarded children, \$2,000,000.00 (less the sum directly appropriated pursuant to paragraph 3 above);
- (d) for additional facilities at Pineland, \$600,000.00; and
- (e) for additional facilities and for improvements for the South Carolina School for Boys, \$140,000.00,

the Governor and the State Treasurer, having first obtained the approval of the State Board, expressed by proper Resolution, shall be empowered to issue notes of the State to the extent of not exceeding Five Million Forty Thousand Dollars (\$5,040,000.00). Such notes shall mature in fifteen successive, and in substantially equal (to the nearest five thousand dollars) annual instalments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the State Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the State Board shall prescribe. The notes shall bear interest payable annually or semi-annually, at such rate or rates as the State Board may prescribe.

All notes issued under this section shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes shall be in such form as the State Board shall prescribe, and may be issued as a single fully registered note.

The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

For the payment of the principal of and interest on the notes issued pursuant to this section there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65, Code of Laws of South Carolina,

1962. Until payment of such principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter, further revenues from such tax for such fiscal year may be used for other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from the tax hereinabove pledged, and it is hereby declared that the notes authorized by this section shall in all respects be on a parity with such outstanding obligations. The pledge of revenues derived from the tax above referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenue derived from such tax preclude the revision of such tax as to rate or method, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which the revenues derived from the aforesaid tax have been pledged. Such certificate shall be appended to the enrolled Act and be presented to the Joint Assembly on the occasion such Act is presented for ratification.

The State Board may, in its capacity as Trustee of the funds of the South Carolina Retirement System, purchase the notes herein authorized as an investment of said funds.

The proceeds derived from the sale of the notes authorized by this section shall be deposited with the State Treasurer and shall be expended by or on behalf of the State agencies for whom the proceeds thereof are made available for the purposes set forth in paragraph 6 *supra*.

The provisions of this Section shall become effective immediately upon the approval of this Act by the Governor.

**SECTION 10. State may issue notes for Whitten Village.**—Item 2 of Section 1 and Item 1 of Section 3 of Act No. 455 of 1961 are amended by striking “one million five hundred thousand dollars”

in each item and inserting in lieu thereof "two million one hundred thousand dollars."

**SECTION 11. State Board of Education to supervise certain agencies.**—Contingent upon enactment into law of the Bill creating a fifteen member Board of Education, there shall be placed under the advisory supervision of said Board, effective July 1, 1965, the following State Agencies, Departments and Boards:

- (1) The State Education Finance Commission
- (2) The State School Book Commission
- (3) The State Educational Television Commission
- (4) The State Advisory Committee for Technical Training
- (5) The South Carolina Opportunity School

Said Board of Education shall immediately study the coordination of all such agencies including the feasibility of consolidating all such agencies, departments and Boards to the end that the most efficient and effective state level administration of public school matters shall be obtained.

**SECTION 12. Excess state revenues to be distributed to counties for school purposes.**—Section 21-293 of the 1962 Code is amended to read as follows:

"Section 21-293. On or before September thirtieth of each year, the State Budget and Control Board shall determine the amount by which the State's revenues, applicable thereto, exceeded the sum of (a) actual expenditures for normal maintenance and operation of the State Government during the next preceding fiscal year, including expenditures to the political subdivisions of the State based on established percentages of revenues, but not including expenditures for highway purposes, (b) unexpended balances of continuing appropriations outstanding at the end of the preceding fiscal year and (c) whatever amount is found necessary to bring the general fund reserve to the prescribed maximum amount.

Of all excess revenues so determined a sum equal to fifty cents per student average daily attendance is hereby appropriated annually to the respective school districts in the State to be used for school lunch programs. All other excess revenues so determined are hereby appropriated annually to the counties of the State, to be distributed to the respective counties in the proportion that the pupil enrollment of the public schools of a county bears to the total public school enrollment of the State, as determined by the State Superintendent of

Education for the preceding school year. Such funds shall be used for general public school purposes, including the payment of school debt."

**SECTION 13. General reserve fund.**—Notwithstanding the provisions of Section 1-781, Code of Laws of South Carolina, 1962, as amended, the General Fund Reserve to be established by the Budget and Control Board at the end of 1963-64 under the terms of Section 21-293, Code of Laws of South Carolina, 1962, shall be fixed at \$2,000,000.00.

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End of Part II

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All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1963-64. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

Approved the 6th day of June, 1963.

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(R475, H1547)

**No. 285**

**An Act To Amend The 1962 Code By Adding New Section 28-771, Making It Unlawful To Gather Oysters Or Other Shell Fish On State-Owned Lands Except Under Permit.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 28-771 added—unlawful to enter certain oyster grounds without permit.**—The 1962 Code is amended by adding new Section 28-771, to read as follows:

"Section 28-771. Entry on any oyster grounds, either subtidal or intertidal not presently under lease, for gathering of oysters or other shell fish, except as provided under Section 28-793, shall be unlawful except under a permit issued by the Division of Commercial Fisheries."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R479, H1837)

**No. 286**

**An Act To Amend Section 47-1223 Of The 1962 Code, Providing For The Limitations On The Height Of Buildings Of Fireproof Construction In The City Of Greenville, So As To Increase Such Limitations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 47-1223, 1962 Code, amended—maximum height of fireproof buildings in City of Greenville.**—Section 47-1223 of the 1962 Code is amended by changing “seventeen” on line 3 to “twenty-five” and changing “two” on line 3 to “three” so that, when so amended, it shall read :

“Section 47-1223. The limitation as to the height of buildings of fireproof construction in the City of Greenville shall be twenty-five stories or three hundred feet.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R482, S388)

**No. 287**

**An Act To Increase The Term Of Office From One To Two Years Of The Mayor And Councilmen Of The Town Of Elko In Barnwell County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Term of mayor and councilmen for Town of Elko.**—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1962, in the Town of Elko, in Barnwell County, the mayor and councilmen shall, upon the expiration of the terms of office of the present mayor and councilmen, be elected every two

years, and their terms of office shall be for two years and until their successors are elected and qualify.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R483, S398)

**No. 288**

**An Act To Amend The 1962 Code By Adding New Section 46-216.3, So As To Designate The Vehicles Of Certain Persons In Lexington County As Authorized Emergency Vehicles.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 46-216.3 added—Lexington County—certain vehicles designated as emergency vehicles.**—The 1962 Code is amended by adding a new section to read as follows :

“Section 46-216.3. Vehicles of rural fire departments, rescue squads and vehicles of individual members of rural and volunteer fire departments, rescue squads and the sheriff’s department in Lexington County, while engaged in emergency activities relating to their duties as members of such organizations, are deemed authorized emergency vehicles within the meaning of Article 2 of this chapter.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R484, H1433)

**No. 289**

**An Act To Amend Section 28-456 Of The 1962 Code, Relating To The Killing Of Deer From Water Conveyances, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-456, 1962 Code, amended—unlawful to kill deer from water conveyances—penalties.**—Section 28-456 of

the 1962 Code is amended by striking all after the word "conveyance" on line 3 and inserting in lieu thereof the following: ", or to molest deer while any part of the deer is in the water.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be imprisoned for a period of not less than thirty days nor more than ninety days or be fined not less than one hundred dollars nor more than five hundred dollars.

In addition to the penalty provided for herein, the boat, raft or other water conveyance in which a deer is found therein is hereby declared to be contraband and shall be confiscated and disposed of according to law." The section when so amended shall read as follows:

"Section 28-456. It shall be unlawful for any person to hunt, shoot or in any way kill deer from a motorboat, raft or other water conveyance, or to molest deer while any part of the deer is in the water.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be imprisoned for a period of not less than thirty days nor more than ninety days or be fined not less than one hundred dollars nor more than five hundred dollars.

In addition to the penalty provided for herein, the boat, raft or other water conveyance in which a deer is found therein is hereby declared to be contraband and shall be confiscated and disposed of according to law."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R485, H1571)

**No. 290**

**An Act To Amend Section 4-141 Of The 1962 Code, Relating To The Shipment Of Alcoholic Liquors So As To Permit Such Shipment To Be Made By Licensed Wholesalers.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 4-141, 1962 Code, amended—how shipments of alcoholic liquors may be made.**—Section 4-141 of the 1962

Code is amended by inserting the words "or by wholesalers licensed by the South Carolina Tax Commission." after the word "Commission" on line 6 and after the word "aforementioned" on line 12 and by striking the word "and" on line 15 and inserting in lieu thereof the word "or", so that when so amended the section shall read as follows:

"Section 4-141. Alcoholic liquors shall be shipped or moved from a point without South Carolina to a point within the geographic limits of South Carolina only by railroad companies, steamship companies, express companies, or truck companies, authorized to do business in South Carolina as common carriers by the South Carolina Public Service Commission or by wholesalers licensed by the South Carolina Tax Commission. Such alcoholic liquors shall be shipped or moved only to the registered producer in care of the producer representative who is registered to handle the property of the registered producer originating the shipment. The shipment of alcoholic liquors shall be either stored in a duly licensed warehouse of the registered producer or, after delivery to the producer's representative is complete, may then be shipped by common carriers aforementioned or by wholesalers licensed by the South Carolina Tax Commission, to a duly licensed wholesaler. Shipments of alcoholic liquors from a licensed producer's warehouse to a licensed South Carolina wholesaler may be made in a vehicle owned or operated by the wholesaler. Should alcoholic liquors be stored in the warehouse of a registered producer, or after delivery to the producer's representative is complete, they may be shipped to a duly licensed wholesaler or to a point without South Carolina. Prior to any such shipment or transfer, the producer's representative shall apply to the Tax Commission, on forms prescribed by the Tax Commission, for permission to ship or transfer such alcoholic liquors, and the producer's representative shall have received a certificate of approval of such shipment or transfer."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

**For The Transfer Of Criminal Cases From The County Court To The Court Of General Sessions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-728, 1962 Code, amended—grand jury—transfer of cases.**—Section 15-728 of the 1962 Code is amended by adding at the end thereof the following: "After the grand jury has acted upon indictments presented to it, then the solicitor shall, within twenty-four hours, endorse on the indictment if the case is to be tried in the county court, and the defendant, or his attorney, shall be notified of such endorsement by notice or by announcement in open court; the defendant, within two days after such endorsement exclusive of the day on which the endorsement was made, shall have the right to have any indictment endorsed for trial to the county court placed for trial in the court of general sessions by notice in writing served on the solicitor and filed in the court of general sessions."

The section when amended shall read as follows:

"Section 15-728. The grand jury drawn for and serving in the court of general sessions for Orangeburg County shall constitute the grand jury of said county court and shall so serve and act upon all necessary indictments of said court. Said grand jury shall attend upon the sessions of said county court whenever notified so to do by request of the circuit solicitor and order of the county judge. The circuit solicitor shall appear at the regular terms of the court of general sessions and may hand out indictments at that time to the grand jury for the county court cases, and the grand jury shall act upon such indictments as in indictments presented for cases in the court of general sessions. The grand jurors shall receive as compensation for their services in attendance upon the county court the same pay as allowed by law in the court of general sessions. After the grand jury has acted upon indictments presented to it, then the solicitor shall, within twenty-four hours, endorse on the indictment if the case is to be tried in the county court, and the defendant, or his attorney, shall be notified of such endorsement by notice or by announcement in open court; the defendant, within two days after such endorsement exclusive of the day on which the endorsement was made, shall have the right to have any indictment endorsed for trial to the county court placed for trial in the court of general sessions by notice in writing served on the solicitor and filed in the court of general sessions."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R487, H1738)

**No. 292**

**An Act To Amend Sections 56-1402, 56-1407 And 56-1413 Of The 1962 Code, Relating To The Commissioners Of Pilotage, The Board Of Examiners For Port Royal And The Number Of Pilots For Port Royal, Respectively, So As To Increase The Number Of Commissioners, Provide For Additional Requirements For Examiners, And Reduce The Number Of Pilots For Port Royal.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 56-1402, 1962 Code, amended—commissioners of pilotage for Little River, Georgetown and Port Royal.**—Section 56-1402 of the 1962 Code is amended by striking on lines 7 and 8 “four persons, two of whom shall be or shall have been seafaring men.” and inserting “five persons.” so that, when so amended, the section shall read:

“Section 56-1402. The commissioners of pilotage of Little River shall consist of three persons, two of whom shall be or shall have been seafaring men and one of whom shall be a full branch pilot of the port to which he belongs.

The commissioners of pilotage of Georgetown shall consist of six persons, two of whom shall be or shall have been seafaring men.

The Commissioners of pilotage of Port Royal shall consist of five persons. They shall have jurisdiction over St. Helena, Port Royal and all entrances to the southward.”

**SECTION 2. Section 56-1407, 1962 Code, amended—board of examiners for Port Royal.**—Section 56-1407 of the 1962 Code is amended by striking it and inserting in lieu the following:

“Section 56-1407. The commissioners of pilotage for the port of Port Royal shall, from time to time, organize a board of examiners for the port of Port Royal, to consist of three nautical men, at least one of whom shall be a full branch pilot of the port. No one shall be eligible for examination by the board of examiners until he has

satisfactorily completed his apprenticeship and has been recommended by a majority of the full branch pilots. The board of examiners shall examine all such eligible and recommended applicants as to their competency to work or manage vessels and generally to discharge the duties of a pilot. All examinations for license shall be oral and written and by demonstration and shall include among other things the following requisites: The rules of the road, the use of compass, the set of currents, the boarding of vessels in heavy weather, bearings of noted objects, numbers, shapes and colors of buoys, and such other matters as the commissioners of pilotage for the port of Port Royal shall require to be included in such examination. No license or branch shall be granted to any person unless he has received a certificate of his competency signed by the majority of the board of examiners."

**SECTION 3. Section 56-1413, 1962 Code, amended—number of pilots.**—Section 56-1413 of the 1962 Code is amended by striking the word "twelve" on line 3 and inserting "five" and by striking on line 5 the word "fifteen" and inserting "seven" and by striking the last sentence of the section so that, when so amended, it shall read:

"Section 56-1413. The number of pilots for the bar and harbor of Charleston shall not exceed twelve. The number of pilots for the port of Port Royal shall be limited to five and for the bar and harbor of Georgetown to three, with power to the commissioners of pilotage to increase the number for the port of Port Royal to seven and for Georgetown to five, if in their judgment the commerce of either of such ports shall require such increase. The number of pilots for the other ports shall be fixed by the commissioners of pilotage at such ports; but such limit in number shall not operate as an exclusion of any pilot who holds a regularly issued license."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Use of tires for catching nongame fish in Lake Greenwood.**—Tires designed to catch nongame fish may be used for catching nongame fish in Lake Greenwood. No fee shall be charged for the use of such tires.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R489, H1754)

**No. 294**

**An Act To Repeal Section 14-3201, Code Of Laws Of South Carolina, 1962, Providing For The Election Of A Member Of The Board Of Commissioners Of Richland County From Each Township.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-3201, 1962 Code, repealed—Richland County Board of Commissioners—terms.**—Section 14-3201 of the Code of 1962, providing for the election of a member of the County Board of Commissioners of Richland County from each of the county townships is repealed to become effective June 30, 1967. The terms of office of those commissioners entering upon the duties of the office on July 1, 1963, shall terminate at midnight of June 30, 1967, after which the County Board of Commissioners of Richland County shall be composed as set forth in Section 14-201 of the Code of 1962, and governed by the terms of Section 14-201, except that the terms of office of those commissioners who take office July 1, 1967, and thereafter, shall be for one year and until their successors are approved and qualified and except that the commissioners shall be appointed upon the recommendation of the Senator and at least half of the House Legislative Delegation and that any such commissioners shall be subject to removal at any time by a majority of the Legislative Delegation.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

(R491, H1842)

**No. 295**

**An Act To Provide For The Issuance Of Construction Permits In Marlboro County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; To Prohibit Persons Constructing Or Improving Buildings From Commencing Such Work Until A Permit Has Been Issued; And To Provide A Penalty For Violation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Building permits required in Marlboro County.—**

It shall be unlawful for any owner, builder or contractor to construct or improve any building at a cost in excess of one thousand dollars, in Marlboro County, unless an application has been filed with and a permit granted by the county auditor or board of tax assessors for such construction or improvement.

**SECTION 2. Application forms.—**The auditor shall prepare and furnish the board of tax assessors the application forms which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. The information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permit.—**The auditor or tax assessor shall issue the permit upon the applicant's paying a fee of one dollar which shall be paid to the county treasurer for deposit in the general fund of the county. The permit shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the board of tax assessors.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the board of tax assessor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Electricity not to be furnished without permit.—**

It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection shall report to the county tax assessor's office on or before the tenth of each month the location of each connection.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Time effective.**—This act shall take effect July 1, 1963 upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R492, S141)

**No. 296**

**An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding A New Section 24-76, So As To Provide For Conditions Under Which Electric Service May Be Rendered In Areas Annexed By Municipalities; To Provide For Payment Where Such Facilities Are Sold; And To Amend Subsection (1) Of Section 12-1025 Of The 1962 Code, Relating To Powers Of Electric Cooperatives, So As To Define Their Rights To Serve In Certain Areas.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Code of 1962 amended—Section 24-76 added—purchase of electric facilities in annexed areas.**—The 1962 Code is amended by adding a new Section 24-76 to read as follows:

“Section 24-76. When any area in which electric service is being furnished by a supplier of electricity including municipal corporations, public or governmental agencies and rural electric cooperatives, is incorporated as a city or town or is annexed to an existing incorpora-

ted city or town, such city or town or, with the consent of the governing body of such city or town, an electrical utility furnishing electricity in such city or town pursuant to a franchise, contract, permit, or other consent, shall have the right at any time thereafter to acquire, upon payment of just compensation therefor, the facilities and properties of the supplier of electricity in the annexed or incorporated area situate within the limits of the municipality used for providing electric service therein; and such supplier of electricity in the annexed or incorporated area shall have the right to compel such city or town or an electrical utility operating therein pursuant to a franchise, contract, permit or other consent to purchase such facilities and properties and to compel the payment of just compensation therefor; *provided*, the city or town shall not elect to purchase nor give its consent to a purchase by another supplier of electricity until it has first given ten days written notice to the suppliers concerned of its intention so to do.

Within ten days after notice is given that the right to acquire or sell such facilities and properties is exercised, the parties shall each select a representative in order to reach an agreement on just compensation. The selling supplier shall make its pertinent books and records available to the representative of the purchasing supplier. Should the representatives be unable to agree on just compensation within a period of sixty days, they shall jointly request the resident judge of the judicial circuit in which the facilities and properties to be purchased are situate to submit a list of five disinterested persons from which the selection of an arbiter shall be made. The resident judge shall submit such list within five days after receipt of such request. Within five days after receipt of the list from the resident judge, the representatives of the parties shall meet and each party shall have alternate strikes, the first strike to be chosen by lot, until one person remains on the list, and this person shall be the arbiter, whose expenses and fee for service rendered, as assessed by him against either or both parties, shall be subject to review by the resident judge. The arbiter shall give each representative an opportunity to be heard, and his decision on just compensation, including reasonable expenses, engineers' and attorneys' fees justifiably incurred by the selling supplier as allowed by the arbiter, shall be final and binding on the parties.

Should either party fail to act during the time limitation set forth above for the accomplishment of a particular step within this procedure

without the consent of the other party, then the party failing to act shall forfeit his rights in the selection of an arbiter and his rights to be heard by the arbiter.

For the purposes of this section, "just compensation" shall consist of the total of the following:

(a) Reproduction cost, new, of the facilities being acquired, less depreciation on a straight-line basis;

(b) Cost of reintegrating the system of the selling supplier after detaching the portion to be sold (including allowance for idle substation capacity caused in the remaining portion of the system), and;

(c) An additional amount, in recognition of the loss of revenue of greater than average value, equivalent to two and one-half times the gross revenue derived by the selling supplier from the consumers on the lines being acquired during the twelve months next preceding the first of the month in which notice of purchase was given the selling supplier.

The total sum paid by an electrical utility under the provisions of this section for acquisition of facilities shall be the original cost of such facilities to be entered on its books and records for all accounting purposes, including rate making."

**SECTION 2. Subsection (1) of Section 12-1025, 1962 Code, amended—electric cooperatives may continue to serve annexed areas.**—Subsection (1) of Section 12-1025 of the 1962 Code is amended by adding the following provisos at the end thereof:

*"Provided*, however, that, subject to the provisions of Section 24-76 of the 1962 Code, the act of incorporating or annexing into a city or town an area in which the cooperative is serving shall constitute the consent of the governing body of such city or town for the cooperative to continue serving all premises then being served and to serve additional premises within such area until such time as the governing body of the city or town shall direct otherwise and such cooperative is empowered to so serve, but it shall not extend service to any premises in any other part of such city or town unless the cooperative was the principal supplier of electricity in such city or town.

*Provided*, further, that the right of a cooperative to continue to serve in a city or town in which it is the principal supplier of electricity shall not be affected by the subsequent growth of such city or town beyond a population of two thousand five hundred persons; *provided*, further, that in the event of a violation of the provisions of this subsection, the municipality or any supplier of electricity affected, or both, may in-

stitute an action in the court of common pleas of the county in which the violation occurs to compel compliance with the provisions of this subsection.”

**SECTION 3. Saving clause.**—The provisions of this act are severable and if any of the provisions of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity or constitutionality of any of the other provisions.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R493, H1155)

**No. 297**

**An Act To Provide State Scholarship Grants; To Fix The Amount Thereof; To Provide For The Supplementing Of Such Grants By The School Districts Of The State; To Vest In The State Board Of Education The Power And Duty To Make Rules Governing Scholarship Grants; To Fix Penalties For Misapplication Of Scholarship Funds And For Other Purposes.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the cause of primary and secondary education in South Carolina will be advanced if individual children of school age, their parents and guardians, are made free to choose between public and private educational institutions. Provision has been made for the transfer of pupils from one public school to another, subject to such limitations as may be necessitated by local conditions, and it is considered highly desirable that the freedom to choose among available educational institutions be extended and enlarged by providing scholarship grants for children entitled to attend primary and secondary public schools who wish to attend private or independent institutions, such scholarship grants to be furnished from State funds supplemented by local school districts.

**SECTION 2. Definitions.**—The following words and phrases as used in this act shall, unless a different meaning is plainly required by the context, have the following meanings:

(a) "School Child" shall mean any person between the ages of six and twenty whose domicile is with his or her parent within the State and who is otherwise qualified to attend the public schools of any school district in which he or she resides.

(b) "Parent" shall mean the natural or adoptive parent or the guardian having legal custody of a child eligible and entitled to receive a scholarship grant under this act who is actually paying or who will pay the tuition cost of attendance of such child at a school which qualifies such child to receive a grant under the terms of this act.

(c) "Private School" shall mean a private or independent elementary or high school which is not operated or controlled by any church, synagog, sect or other religious organization or institution.

**SECTION 3. Persons eligible to receive scholarship grants.**—Subject to the terms and provisions of this act every school child in the State who has not yet finished or graduated from high school and who desires to attend a private school located within the State shall be eligible for and entitled to receive a State scholarship grant in an amount equal to the per pupil cost to the State of public education as certified by the Governor.

**SECTION 4. Funds for grants.**—The State scholarship grants provided for in Section 3 of this act shall be payable from funds appropriated by the General Assembly for the payment thereof.

**SECTION 5. Local school district to furnish funds.**—It shall be a prerequisite to the grant above permitted that the local school district in which the school child resides make available a grant of local funds to such school child and to that end the trustees of each school district within the State are hereby authorized to appropriate funds in addition to the State scholarship grants provided for in Section 3 of this act in such amount that is equal to the per pupil cost to the school district exclusive of all State funds received for such purposes. The trustees of each school district are authorized to levy taxes where the school district has the power to tax, to raise funds for the payment of such local supplements to the State scholarship grants. The State Board of Education shall render such assistance to the trustees as may be necessary to determine annual per pupil expenditures of the school district for the purpose of fixing the amount of any supplement to be paid under this section.

**SECTION 6. Grant not to exceed tuition.**—The total of the annual scholarship grant provided for each child by this act shall not

exceed the actual cost of tuition at the private school attended by the child.

**SECTION 7. Rules and regulations.**—The State Board of Education is hereby authorized and directed to promulgate such rules and regulations, consistent with the terms of this act, for the receiving and processing of applications for scholarship grants, the payment of grants and the administration of this act generally as it may find necessary or desirable. Such rules may, among other things, provide for the payment of scholarship grants by the school districts of the State to the parent of any child entitled to receive a scholarship grant in installments or otherwise, and for the proration of scholarships for children attending school less than a full school year; they shall include a minimum academic standard that shall be met by any school in order to entitle children attending such school to receive a scholarship grant; *provided*, however, that no rule promulgated under the authority of this act shall restrict, or in any way affect, the requirements of such school concerning the eligibility of pupils who may be admitted thereto or specify minimum physical plant facilities of any such school.

**SECTION 8. Unlawful to misuse scholarship funds.**—It shall be unlawful for any person to obtain, attempt to obtain, expend or attempt to expend, any scholarship funds provided by this act for any purpose other than in payment of, or reimbursement for, the tuition cost of the child to whom such scholarship has been awarded at the institution he or she is authorized to attend under his or her scholarship grant.

**SECTION 9. Penalties.**—Any person convicted of violating the provisions of this act shall be punished by imprisonment for a term not to exceed three years or by a fine not to exceed two thousand dollars, or by both, in the discretion of the court.

**SECTION 10. Saving clause.**—If any portion of this act, or the application thereof to any person or circumstance is, for any reason, declared unconstitutional, such declaration shall not affect the validity of the remaining portions of this act or its application to other persons and circumstances.

**SECTION 11. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 5th day of June, 1963.

(R494, S81)

## No. 298

**An Act To Amend Section 46-750.6, Code Of Laws Of South Carolina, 1962, Motor Vehicle Safety Responsibility Act, Providing For The Re-establishment Of Proof Of Financial Responsibility Whenever Any Person Whose Proof Has Been Cancelled Or Returned Under Certain Conditions Applies For A License For Registration Within A Period Of Five Years From The Date Proof Was Originally Required, So As To Reduce The Period Required To Three Years; To Prohibit The Automatic Suspension Of Registration And License Plates For Driver's License Suspended; And To Prohibit The Requiring Of Proof Of Financial Responsibility Where A Driver Is Convicted Of Operating A Motor Vehicle Without A Driver's License When The Driver Has Never Been Issued Such A License.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 46-750.6, 1962 Code, amended—when proof must be re-established.**—Section 46-750.6, specifying when proof of financial responsibility must be re-established, is amended by striking out the word “five” in lines three and six of the section and inserting in lieu thereof the word “three” in each place, so that when so amended this section shall read as follows :

“Section 46-750.6. Whenever any person whose proof has been cancelled or returned under item (3) of Section 46-750.5 applies for a license or registration within a period of three years from the date proof was originally required, this application shall be refused unless the applicant shall re-establish the proof for the remainder of the three year period.”

**SECTION 2. Suspension of license not to automatically suspend license plates.**—The suspension of a license issued by the State Highway Department to any person to operate a motor vehicle on the highways of the State shall not serve to automatically suspend the registration or license plates.

**SECTION 3. Proof of financial responsibility not required of certain persons.**—Notwithstanding any provision of law to the contrary, any person who has never been issued a license to operate a motor vehicle on the highways of the State of South Carolina and who has been convicted one time of operating a motor vehicle on the highways of the State without a license while driving an insured

vehicle shall not, by reason of that fact alone, be required to prove financial responsibility.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R495, S313)

**No. 299**

**An Act To Amend Sections 28-931, 28-935 And 28-937 Of The 1962 Code, Relating To Licenses And Taxes On Certain Seafoods And The Equipment For The Catching Of Certain Seafoods, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-931, 1962 Code, amended—fisheries tax.**—Section 28-931 of the 1962 Code is amended by adding the word “and” at the end of line 8 and by changing the semicolon to a period following the word “bushel” on line 10 and striking the remainder of the section so that when so amended the section shall read as follows :

“Section 28-931. A fisheries tax is imposed on all fish gathered, taken or harvested for market from waters of the State, to wit :

(1) On each South Carolina bushel of oysters of four thousand seventy-one and one-half cubic inches or equivalent, one and one-half cents, on all oysters in the shell which are exported, an additional ten cents a bushel ;

(2) On clams, five cents a hundred pounds, live weight basis ; and

(3) On hard crabs, ten cents a hundred pounds, live weight basis, or three and one-third cents a United States standard bushel.”

**SECTION 2. Section 28-935, 1962 Code, amended—license taxes on fishing appliances.**—Section 28-935 of the 1962 Code is amended by striking the words “one dollar” at the beginning of line 5 and inserting the words “two dollars” so that when so amended the section shall read as follows :

“Section 28-935. The following license tax is hereby levied annually upon the different fishing appliances, except sturgeon nets, used in the waters of this State :

- (1) Anchor gill nets, stake gill nets, drift gill nets and beach seines, two dollars for each one hundred yards or fraction thereof;
- (2) Trap nets, floating, one dollar and fifty cents each;
- (3) Submerged trap nets, three dollars each;
- (4) Crab pots, six dollars a hundred or fraction thereof;
- (5) Shrimp trawl nets, five dollars each;
- (6) Purse seine nets, five dollars each; and
- (7) For any apparatus used and not above enumerated, other than cast nets, hook and line and oyster grabs and tongs, the license shall be the same as that provided for the apparatus or appliance which it most resembles."

**SECTION 3. Section 28-937, 1962 Code, amended—license fee for shad dealers.**—Section 28-937 of the 1962 Code is amended by striking the word "twenty" on line 2 and inserting in lieu thereof the word "thirty" so that when so amended the section shall read as follows:

"Section 28-937. Licenses for buying, selling and shipping shad shall be, in addition to the net licenses, thirty-five dollars."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R496, S275)

**No. 300**

**An Act To Amend Section 33-224, Code Of Laws Of South Carolina, 1962, Relating To Contractors' Bonds Securing The Construction Of Public Highways, So As To Provide For Surety Bonds On Highway Construction Contracts.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 33-224, 1962 Code, amended—bonds required for highway construction—suits against.**—Section 33-224, Code of Laws of South Carolina, 1962, is amended to read as follows:

"Section 33-224. (a) The State Highway Department shall require that the contractor on every public highway construction contract, exceeding \$10,000.00, furnish the Highway Department, county, or road district the following bonds, which shall become binding upon the award of the contract to such contractor:

- (1) A Performance and Indemnity Bond with a surety or sureties satisfactory to the authority awarding the contract, and in the full amount of the contract, and in no case less than \$10,000.00, for the protection of the Highway Department, county, or road district.
- (2) A Payment Bond with a surety or sureties satisfactory to the awarding authority, and in the amount of not less than fifty per cent of the contract, for the protection of all persons supplying labor and materials in the prosecution of work provided for in the contract for the use of each such person.

(b) Every person who has furnished labor or material in the prosecution of the work provided for in such contract, in respect of which such a bond has been furnished under this section and who has not been paid in full therefor before the expiration of a period of ninety days after the day on which the last of the labor was done or performed by him or material was furnished or supplied by him for which such claim is made, shall have the right to sue on such bond for the amount, or the balance thereof, unpaid at the time of the institution of such suit and to prosecute such action to final execution and judgment for the sum or sums justly due him; *provided*, however, that any person having direct contractual relationship with a sub-contractor but no contractual relationship expressed or implied with the contractor furnishing the bond shall have a right of action upon the bond upon giving written notice to the contractor within ninety days from the date on which such person did or performed the last of the labor or furnished or supplied the last of the material for which claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom material was furnished or supplied or for whom labor was done or performed. No suit under this section shall be commenced after the expiration of one year after the date of the final settlement of the contract.

(c) Nothing in this section shall be construed to limit the authority of any contracting authority to require a performance bond or other security in addition to those specified in this section."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

(R497, S341)

## No. 301

**An Act To Make Contraband Any Monies Or Things Used For Money Unlawfully In The Possession Of Any Prisoner Confined In A Penal Institution Under Control Of The Board Of Corrections, And To Provide For The Disposition Of Such Monies.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Monies of prisoners to be contraband.**—Any monies or tokens or things of like nature used as money found in the unlawful possession of any prisoner confined in a penal institution under control of the Board of Corrections are hereby declared to be contraband, and any monies or tokens or things of like nature used as money so seized shall be deposited in the welfare fund of the institution in which the prisoner is confined and shall be the property of such welfare fund.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R498, S343)

## No. 302

**An Act To Grant To State Penitentiary Guards Authority And Powers Of Peace Officers Anywhere In State While In Uniform And On Official Duty As Custodians Of Any Prisoner.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Penitentiary guards to have powers of peace officers.**—Guards of the State Penitentiary, while in uniform and on official duty as custodians of any prisoner, or while in a travel status relating to the custody of any prisoner, shall have the status of peace officers anywhere in the State in any matter relating to the custody, control or recapture of such prisoner.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

(R499, S344)

## No. 303

**An Act To Amend The 1962 Code By Adding A New Section To Be Designated Section 55-8.1, To Provide Additional Deductions For Certain Prisoners.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 55-8.1 added—additional deductions for certain prisoners.**—The 1962 Code is amended by adding a new Section to read as follows:

“Section 55-8.1. Any prisoner who, after July 1, 1963, is assigned to a duty in a prison of the Department of Corrections which requires work for seven days a week for a period of six months or more shall be entitled to a deduction from the term of his sentence of one day for each week of such employment. This deduction shall be in addition to any other deduction for good conduct to which this prisoner may be entitled. This additional deduction by the Department of Corrections is given to induce good behavior, extra work without the use of funds for incentive pay.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

(R500, S357)

## No. 304

**An Act To Amend Section 55-349.1 Of The 1962 Code, Relating To Sale Of Prison-Made Products, So As To Except Certain Agricultural Products.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 55-349.1, 1962 Code, amended—unlawful to sell prison-made products on open market—exceptions.**—Section 55-349.1 of the 1962 Code is amended by changing the period following the word “probation” on line 5 to a comma and adding “and except the following agricultural products: cattle, cotton, tobacco (Turkish), soybeans and wheat.” and by striking the proviso beginning on line 11 through the end of the section and inserting “Proceeds of the sale of these raw agricultural products, when produced by an instrumentality under control of the

State Board of Corrections, shall be applied as provided in Section 55-349." The section when amended shall read as follows:

"Section 55-349.1. It shall be unlawful to sell or offer for sale on the open market of this State any articles or products manufactured or produced wholly or in part in this or any other state by convicts or prisoners of this State or any other state, except convicts or prisoners on parole or probation, and except the following agricultural products: cattle, cotton, tobacco (Turkish), soybeans and wheat. Any person violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than two hundred dollars, nor more than five thousand dollars, or by imprisonment in jail not less than three months nor more than one year, or by both such fine and imprisonment. Each such sale or offer for sale shall constitute a separate offense under this section. Proceeds of the sale of these raw agricultural products, when produced by an instrumentality under control of the State Board of Corrections, shall be applied as provided in Section 55-349."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R501, H1395)

**No. 305**

**An Act To Prohibit Fishing From Boats Within One Hundred Fifty Feet Of Certain Fishing Piers And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Unlawful to fish from boats near certain fishing piers.**—It shall be unlawful to fish from a boat within one hundred fifty feet of commercial fishing piers extending into the Atlantic Ocean.

**SECTION 2. Penalties.**—Any person violating the provisions of Section 1 shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

(R504, H1847)

**No. 306**

**An Act To Provide Judge Of Probate Fees For Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Judge of probate fees for Abbeville County.**—Notwithstanding the provisions of Section 27-301 of the 1962 Code, or any other provisions of law, the following fees and costs shall be charged by the Judge of Probate of Abbeville County. The fee for any service not included in this section shall be the same as provided by general law.

1. Lunacy commitments, including commitments to Pineland and Whitten Village, to be waived upon proof of indigency, twenty dollars;
2. Qualification of committee, including preparing file, indexing, docketing, petition, certificate of incompetency, taking and recording bond, issuing and recording letters, fifteen dollars;
3. Qualification of guardian, including preparing file, indexing, docketing, petition, taking and recording bond, issuing and recording letters, fifteen dollars;
4. Discharge of committee or guardian, including petition and order for final settlement and discharge, accounting with one copy and letters dismissory with one copy, fifteen dollars;
5. Annual accounting, five dollars;
6. Qualification and discharge of executor or administration of estates up to twenty-five hundred dollars, fifteen dollars;
  - (a) On estates of twenty-five hundred dollars to five thousand, twenty dollars;
  - (b) On estates of five thousand dollars to ten thousand dollars, twenty-five dollars;
  - (c) On estates of ten thousand dollars to twenty-five thousand dollars, thirty dollars;
  - (d) On estates of twenty-five thousand dollars to fifty thousand dollars, forty dollars;

- (e) On estates of fifty thousand dollars to one hundred thousand dollars, fifty dollars;
- (f) On estates over one hundred thousand dollars, seventy-five dollars;
- 7. Extra petitions and orders, over and above minimum requirements, three dollars;
- 8. Qualifying certificates, fifty cents;
- 9. Estates requiring action in aid of assets including petition, summons, notice of sale, petition for guardian ad litem, order appointing guardian ad litem, answer of guardian ad litem, proofs of service, hearing, decree, in addition to normal fees, twenty dollars;
- 10. Dedimus to qualify executor in addition to normal fee, three dollars;
- 11. Hearings on disposition of personalty per day, eight dollars;
- 12. Swearing witnesses per each (cost of testimony to be in addition to these charges), twenty-five cents;

The above fees do not include any advertising cost required by law.

**SECTION 2. Time effective.**—This act shall take effect July 1, 1963.

Approved the 7th day of June, 1963.

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(R506, H1551)

**No. 307**

**An Act To Amend Section 56-1357.1 Of The 1962 Code, Relating To The Practice Of Naturopathy, So As To Provide For Certain Practitioners Of Eclectic Medicine.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 56-1357.1, 1962 Code, amended—qualifications to practice eclectic medicine.**—Section 56-1357.1 of the 1962 Code is amended by adding at the end thereof the following: “*Provided*, that any person who is, and was on January 1, 1963, duly licensed by the State of South Carolina to operate a nursing home for the chronically ill and the infirm and who had immediately prior to said date continuously operated a hospital or nursing home for a period of at least seven years, and who was duly licensed by this State to practice the healing arts eighteen years prior to January 1,

1956, and who is qualified and experienced in the practice of eclectic medicine and who has a diploma certifying that he is a graduate of a recognized institution teaching eclecticism, shall be and he is hereby licensed to practice eclectic medicine in this State." so that when so amended the section shall read as follows:

"Section 56-1357.1. Any person authorized to practice naturopathy in South Carolina on February 26, 1956 who is a graduate of an accredited college for premedical training and who has, in addition thereto, graduated from a medical college recognized at the time of his graduation by the state in which it was located, and who has heretofore for a period in excess of five years engaged in the practice of medicine in this State under the supervision of a licensed medical doctor by special request or by special permission of the State Board of Medical Examiners, or agents thereof, shall be examined by the State Board of Medical Examiners on the same basis as other applicants to the Board are examined, and upon the making of a passing grade on this examination, shall be licensed to practice medicine in this State. *Provided*, that any person who is, and was on January 1, 1963, duly licensed by the State of South Carolina to operate a nursing home for the chronically ill and the infirm and who had immediately prior to said date continuously operated a hospital or nursing home for a period of at least seven years, and who was duly licensed by this State to practice the healing arts eighteen years prior to January 1, 1956, and who is qualified and experienced in the practice of eclectic medicine and who has a diploma certifying that he is a graduate of a recognized institution teaching eclecticism, shall be and he is hereby licensed to practice eclectic medicine in this State. *Provided*, that no such person shall prescribe narcotics or other dangerous drugs or perform surgery."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

**An Act To Provide For The Issuance Of Construction Permits In Abbeville County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Im-**

**proved Without A Permit; To Provide A Penalty For Violation; To Provide For Further Duties Of The Tax Collector; And To Repeal Sections 14-400.631 Through 14-400.634 Of The 1962 Code Relating To Building Permits In Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Building permits required in Abbeville County.—**

It shall be unlawful for any person to construct or improve any building at a cost in excess of one thousand dollars in Abbeville County, unless an application has been filed with and a permit granted by the county tax collector or a county magistrate for such construction or improvement; *provided*, that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor.

**SECTION 2. Application forms.—**The tax collector shall prepare and furnish the county magistrates the application forms, which shall show information to be of assistance to him in locating the real estate on which the construction or improvement is to be made and in checking tax returns. This information shall include, but shall not be limited to, the following: (a) name of owner of the real estate; (b) school district; (c) street number or road and rural post office box number; (d) estimated cost of construction or improvement; (e) type of construction or improvement; (f) type of roof; (g) number of stories; (h) number of rooms; and (i) approximate distance from the limits of the nearest municipality.

**SECTION 3. Issuance of permit.—**The tax collector or a county magistrate shall issue the permit upon the applicant's paying a fee of one dollar. The fees shall be remitted to the county treasurer for deposit in a special fund of the county by the tenth day of the following month, together with a copy of each permit issued since previous remittance. The permits shall be numbered and be made in triplicate; the original shall be filed with the county auditor and one copy with the county treasurer.

The permit when issued shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer or properly designated agent of the auditor's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Municipalities to furnish copies.**—Every incorporated municipality in the county, requiring permits for the construction or improvement of buildings upon real estate situate within the municipality, shall furnish to the auditor copies of all permits issued by the municipality.

**SECTION 5. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten or less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 6. Electricity not to be furnished without permit.**—It shall be unlawful for any electric utility company or rural electric cooperative to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection within an incorporated municipality which does not issue building permits shall report to the county tax auditor's office on or before the tenth day of each month the location of each connection.

**SECTION 7. Duties of tax collector.**—The tax collector shall serve as coordinator and liaison with and between the auditor, treasurer and other officials having to do with returning assessment, equalization and collection of taxes within Abbeville County.

**SECTION 8. Sections 14-400.631 through 14-400.634, 1962 Code, repealed.**—Sections 14-400.631 through 14-400.634 of the 1962 Code are repealed.

**SECTION 9. Time effective.**—This act shall take effect July 1, 1963.

Approved the 7th day of June, 1963.

**An Act To Amend Section 21-23, Of The 1962 Code, Relating To The Duties Of The State Superintendent Of Education, So As To Further Provide Therefor; To Amend Section 21-41 Of**

**The 1962 Code, Relating To The State Board Of Education, So As To Provide For The State Board Of Education, The Election Of The Members And Their Terms Of Office; To Amend Section 21-42 Of The 1962 Code, Relating To Compensation Of Board Members, So As To Delete The Reference To Appointment Of Board Members; To Amend Section 21-45 Of The 1962 Code, Relating To The Powers Of The State Board Of Education, So As To Further Provide Therefor; And To Repeal Section 21-46 Of The 1962 Code, Relating To Certain Duties Of The State Board Of Education.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-41, 1962 Code, amended—State Board of Education — members — terms — selection — vacancies — officers.**—Amend Section 21-41 of the 1962 Code, by striking it in its entirety and inserting in lieu thereof the following :

“Section 21-41. The State Board of Education shall be composed of one member from each judicial circuit. The members shall serve terms of four years and until their successors are elected and qualify, except of those first elected, the members from the fifth, tenth and fourteenth circuits shall serve terms of one year; the members from the first, sixth, eighth and twelfth circuits shall serve terms of two years and the members from the fourth, seventh, ninth and eleventh circuits shall serve terms of three years. The terms of all members shall commence on January first following their election.

The legislative delegations representing the counties of each judicial circuit shall meet upon written call of a majority of the members of the delegations of each judicial circuit at a time and place to be designated in such call for the purpose of electing a member of the board to represent such circuit. A majority present, either in person or by written proxy, of the members of the county legislative delegations from a given circuit shall constitute a quorum for the purpose of electing a member, but no person shall be declared elected who shall fail to receive a majority vote of all the members of the county legislative delegations from the circuit. The joint county legislative delegations of each circuit shall be organized by the election of a chairman and a secretary and such joint legislative delegations shall, subject to the provisions herein, adopt such rules as they deem proper to govern the election. Any absentee may vote by written proxy. When the election is completed, the chairman and secretary of the joint county legislative

delegations of each circuit shall immediately transmit the name of the person elected to the Secretary of State who shall forthwith issue to such person, after he has taken the usual oath of office, a certificate of election as a member of the State Board of Education. The Governor shall thereupon issue a commission to such person and pending such issuance the certificate of election shall be a sufficient warrant to such person to perform all of the duties and functions of his office.

Any vacancy shall be filled in the same manner as the original appointment for the unexpired portion of the term.

Representation of a given judicial circuit on the State Board of Education shall be rotated among the counties of the circuit, except by unanimous consent of all members of the county legislative delegations from the circuit. No member shall succeed himself in office except by unanimous consent of the members of the county legislative delegations from the circuit. Members of the legislative delegation of any county entitled to a member of the board shall nominate persons for the office, one of whom shall be elected to the board.

The board shall select its chairman and other officers to serve for such terms as the board may designate. *Provided*, the Superintendent of Education shall serve as secretary and administrative officer to the board. The board shall adopt its own rules and procedures. The chairman and other officers shall have such powers and duties as may be determined by the board not inconsistent with the law.

At the initial meeting of the legislative delegations representing the counties of each circuit, it shall be determined by lot the sequence in which each county shall be entitled to nominate persons for the office.

**SECTION 2. Terms of present members.**—The terms of all the present members of the State Board of Education shall terminate December 31, 1963.

**SECTION 2A. Section 21-42, 1962 Code, amended—compensation.**—Section 21-42 of the 1962 Code is amended by striking the words “appointed by the Governor” on line two, so that, when so amended, the section shall read as follows:

“Section 21-42. The members of the Board shall receive as compensation a per diem and mileage as is provided for members of the General Assembly.”

**SECTION 2B. Section 21-45, 1962 Code, amended—powers and duties.**—Section 21-45 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 21-45. The State Board of Education shall have the power to:

1. Adopt policies, rules and regulations not inconsistent with the laws of the State for its own government and for the government of the free public schools.

2. Annually approve budget requests for the institutions, agencies, and service under the control of the Board as prepared by the State Superintendent of Education prior to being submitted to the Budget and Control Board and to the General Assembly.

3. Adopt minimum standards for any phase of education as are considered necessary to aid in providing adequate educational opportunities and facilities.

4. Prescribe and enforce rules for the examination and certification of teachers.

5. Grant State Teachers' Certificates and revoke them for immoral or unprofessional conduct, or evident unfitness for teaching.

6. Prescribe and enforce courses of study for the free public schools.

7. Prescribe and enforce the use of textbooks and other instructional materials for the various subjects taught or used in conjunction within the free public schools of the State, both high schools and elementary schools, in accordance with the courses of study as prepared and promulgated by the Board.

8. Appoint such committees and such members of committees as may be required or as may be desirable to carry out the orderly function of the Board.

9. Cooperate fully with the State Superintendent at all times to the end that the state system of public education may constantly be improved.

10. Assume such other responsibilities and exercise such other powers and perform such other duties as may be assigned to it by law or as it may find necessary to aid in carrying out the purpose and objectives of the Constitution of the State.”

**SECTION 2C. Section 21-23, 1962 Code, amended — powers and duties.**—Section 21-23 of the 1962 Code is amended by striking it in its entirety and inserting in lieu thereof the following:

“Section 21-23. The State Superintendent of Education shall:

1. Serve as secretary and administrative officer to the State Board of Education.

2. Have general supervision over and management of all public school funds provided by the State and Federal Governments.

3. Organize, staff and administer a State Department of Education which shall include such division and departments as are necessary to render the maximum service to public education in the State.

4. Keep the public informed as to the problems and needs of the public schools by constant contact with all school administrators and teachers, by his personal appearances at public gatherings and by information furnished to the various news media of the State.

5. Have printed and distributed such bulletins, manuals, and circulars as he may deem necessary for the professional improvement of teachers and for the cultivation of public sentiment for public education, and have printed all forms necessary and proper for the administration of the State Department of Education.

6. Administer, through the State Department of Education, all policies and procedures adopted by the State Board of Education.

7. Assume such other responsibilities and perform such other duties as may be prescribed by law or as may be assigned by the State Board of Education."

**SECTION 3. Section 21-46, 1962 Code, repealed.**—Section 21-46 of the 1962 Code is hereby repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

**An Act To Create The Anderson Water Authority; To Define Its Service Area; To Prescribe Its Functions And Powers; To Authorize The Authority To Borrow Money; To Prescribe The Conditions Under Which It May Exercise Such Power To Borrow Money; To Make Provision For The Disposition Of The Revenues And Earnings Of The Authority; To Prescribe The Conditions And Terms Upon Which Municipal Corporations And Other Public Bodies Or Agencies Operating Water Distribution Systems In Anderson County May Acquire And Use Water From The Authority; To Make It Unlawful To Hurt Or Damage The Property Of The Authority Or To Obtain And Make Use Of Water Therefrom Except In Accordance With The Regulations**

**Of The Authority; And To Prescribe Penalties For Violations Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Anderson Water Authority created.**—There is hereby created a body corporate and politic to be known as the Anderson Water Authority, hereinafter sometimes referred to as the "Authority." It shall be the function of the Authority to acquire supplies of fresh water, capable of being used for industrial and domestic purposes, and to distribute such water, in the manner herein provided, for industrial and domestic use within its service area. To that end, it shall be empowered to purchase or to construct such reservoirs, diversion dams, impounding dams or dikes, canals, conduits, aqueducts, tunnels, water distribution facilities, water mains and water lines, as in the opinion of the Authority may be deemed necessary, and to acquire such land, rights-of-way, easements, machinery, apparatus and equipment as shall be deemed useful therefor.

**SECTION 2. Members — appointments — terms — vacancies — officers—compensation.**—The Authority shall be composed of seven members, who shall be resident electors of Anderson County. Members of the Authority shall be appointed by the Governor, upon the recommendation of a majority of the members of the Anderson County Legislative Delegation. Of those recommended for original appointment, two shall be appointed for terms of two years, two for terms of four years and three for terms of six years. Upon the termination of the terms of the original members, their successors shall be appointed by the Governor, in the same manner as is provided for the original appointment, for terms of six years. Any vacancy occurring by reason of death, resignation or otherwise shall be filled for the remainder of the unexpired term by appointment of the Governor in the same manner as is provided for the original appointment. All members of the Authority shall hold office until their successors shall have been appointed and shall have qualified.

As soon as convenient, the Authority shall convene and shall organize by electing one of their number as chairman, a second as vice chairman, and a third as secretary. The terms of office of the foregoing officers of the Authority shall be for such period as the Authority shall determine in its bylaws.

The Secretary of the Authority shall from time to time file in the office of the Clerk of Court for Anderson County appropriate cer-

tificates showing the personnel of the Authority and the duration of the terms of the respective members.

The members of the Authority shall receive no compensation, but may be reimbursed for any actual expenses incurred in connection with the business of the Authority.

**SECTION 3. Not to compete with municipalities.**—To the end that the Authority shall not unduly compete with the existing publicly operated water systems in the county, the Authority shall not sell water to be used by persons or private corporations within the corporate limits of such municipalities or areas now served by municipalities without the consent of the municipal officers of such municipalities, nor shall it sell water elsewhere than in the following portion of Anderson County, which is hereby defined to be the service area of the Authority.

**SECTION 4. Powers.**—The Authority shall be fully empowered to purchase, acquire, construct, operate, maintain, improve and extend facilities which would enable it to obtain fresh water in large volume, and to distribute and sell the same, subject to the limitations set forth in Section 3, to persons, firms, corporations, municipal corporations, political divisions, and the United States Government, or any agencies thereof, at any point within its service area. To that end, the Authority shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To establish a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To purchase, build, construct, maintain and operate canals, aqueducts, ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and water reservoirs.
- (8) To impound fresh water in lakes or reservoirs.
- (9) To purchase, build, construct, maintain and operate water distribution systems for the distribution of water for domestic or industrial use and from time to time enlarge and extend the same.
- (10) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful to discharge the functions committed to the Authority by this act.

(11) To accept gifts or grants of services, properties or moneys from the United States, or any of its agencies, under such conditions as the United States, or such agency shall prescribe.

(12) Subject to the provisions of Section 3, to sell water for industrial or domestic use.

(13) To prescribe rates and regulations under which water shall be sold for domestic and industrial use.

(14) Subject to the provisions of Section 3, to enter into contracts for the sale of water, upon such terms as the parties thereto shall approve, with persons, private corporations, municipal corporations, public bodies, public agencies and with the United States Government or any agencies thereof.

(15) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its canals, aqueducts, reservoirs or distribution systems.

(16) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the Authority.

(17) To lease or sell and convey lands, or interests therein.

(18) To make use of county and state highway rights-of-way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(19) Subject always to the limitations of Section 4, Article VIII of the Constitution, to make use of the streets and public ways of any incorporated municipality for the purpose of laying pipes and lines.

(20) To alter and change county and state highways wherever necessary in order that it may discharge the functions committed to it, in such manner and under such conditions as the appropriate officials in charge of such highways shall approve.

(21) To acquire, by purchase, gift, or through the exercise of eminent domain, all properties, land, interests therein, easements, rights-of-way which the Authority shall deem necessary to enable it to fully and adequately discharge all functions committed to it. The power herein granted shall be deemed to include the power to acquire protective areas of land adjacent to any of its facilities.

(22) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of

Laws of South Carolina, 1962, the procedure for the exercise of eminent domain by the State Highway Department, or the procedure prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1962, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

(23) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(24) To make contracts for construction, engineering, legal and other services, with or without competitive bidding.

(25) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the facilities, or any extension, addition or improvement thereto shall be fully in operation and self-liquidating, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the facilities. Neither the faith and credit of the State of South Carolina, nor of any county, municipality or political subdivision of the State shall be pledged for the payment of the principal and interest of the obligations and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the Authority nor any person signing the obligation shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, Code of Laws of South Carolina, 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the Authority by such Code provisions, the Authority may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens

authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any of such Code provisions, if contrary provisions there be, the Authority may:

(a) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(b) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the facilities, in accordance with and in the order of priority prescribed by the resolutions adopted by the Authority as an incident to the issuance of any notes, bonds or other types of securities.

(c) Declare that such obligations and the interest thereon shall be exempt from all state, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise. This provision shall be deemed a part of the contract, inuring to the benefit of all holders or beneficiaries of its securities.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the Authority shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Limit or prohibit free service to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

(26) To do all other acts and things necessary or convenient to carry out any function or power committed or granted to the Authority.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by the Authority shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—All property of the Authority shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Fiscal year and audit.**—The Authority shall conduct its affairs on the fiscal year basis employed by the State, viz., its fiscal year shall begin on July first of each year and shall end on the thirtieth day of June of the succeeding year. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants, of good standing, to be designated by the Authority. Copies of such audits, incorporated into an annual report of the Authority, shall be filed in the office of the Clerk of Court for Anderson County, and with the Secretary of State.

**SECTION 8. Unlawful acts.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the facilities of the Authority, or any part of the same, or any machinery, apparatus or equipment of the Authority, or to pollute the water in any part of its service area, or to obtain water therefrom except in accordance with the regulations promulgated by the Authority. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the Authority.

**SECTION 9. Revenues.**—All revenues derived by the Authority from the operation of its facilities, which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the Authority from time to time for purposes germane to the functions of the Authority, or in such other manner as the General Assembly may, by proper enactment, direct.

**SECTION 10. Municipalities may purchase water from Authority.**—Subject to the limitations of Section 3, all municipalities, public bodies and public agencies operating water district systems in Anderson County shall be fully empowered to enter into contracts to buy water from the Authority. Such contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the Authority, and to the contracting municipality, public body or public agency.

**SECTION 11. Obligations not to be impaired.**—The right to alter, amend or rescind this act is hereby expressly reserved and disclosed, but no such amendment or repeal shall operate to impair the obligations of any contract made by the Authority pursuant to any power conferred by this act.

**SECTION 12. Water districts may be created.**—The Anderson County Water Authority shall have the authority to create water districts in Anderson County.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June 1963.

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(R518, S420)

**No. 311**

**An Act To Amend Section 27-70 Of The 1962 Code Relating To Fees Charged By The Clerk Of Court Of Common Pleas For Anderson County, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 27-70, 1962 Code, amended—clerk of court fees for Anderson County.**—Section 27-70 of the 1962 Code is amended to read as follows:

“Section 27-70. In Anderson County the clerk of the court of common pleas shall receive (a) for signing and sealing a summons, thirty-five cents; (b) for filing a summons and complaint, one dollar; (c) for filing each demurrer or rejoinder in demurrer, twenty-five cents; (d) for signing and sealing a subpoena writ, twenty-five cents; (e) for docketing a cause, one charge only at each term, ten cents; (f) for attending the

trial of a civil cause and swearing witnesses, fifty cents; (g) for entering a verdict or other order for final judgment on the minutes of the court, twenty-five cents; (h) for making assessments on reference, twenty-five cents; (i) for a special order for bail, thirty-five cents; (j) for filing and entering on the journal every rule or order for arbitration, twenty-five cents; (k) for filing affidavits for continuance when ordered by the judge, twenty-five cents; (l) for signing, entering and enrolling a judgment, one dollar; (m) for signing and sealing a first execution, twenty-five cents; (n) for signing and sealing each renewal execution, twenty-five cents; (o) for entering satisfaction on a judgment, fifteen cents; (p) for taking security for costs and entering an order therefor, if made, fifty cents; (q) for recording a judgment, one dollar and fifty cents; (r) for recording a decree of foreclosure or partition or a report, ten cents per copy sheet of one hundred words; (s) for administering an oath other than on the trial of a cause, proof of service on a sheriff's return, oath to jurors or by order of court, fifteen cents; (t) for taking and filing bonds in attachments, trover or in other cases, three dollars and fifty cents; (u) for signing and sealing a commission to examine witnesses, fifty cents; (v) for exemplification of proceedings or other office copy, eight cents per copy sheet of one hundred words; (w) for recording a plat of land under an order of the court or copying any such plat, fifty cents; (x) for a rule of survey, fifty cents; (y) for each official certificate under seal of court not herein specified, twenty-five cents; (z) for issuing a writ of attachment for contempt or other special writ, one dollar; (aa) for signing and sealing a writ of habere facias possessionem, fifty cents; (bb) for receiving and paying over money officially, two per cent if under three hundred dollars, and if over that sum, two per cent for the first three hundred dollars and one per cent for the balance; (cc) for every appeal from a magistrate, all services inclusive, except for entering up judgment and issuing execution therein, seventy-five cents; (dd) for all orders for bastardy and taking recognizance, one dollar; (ee) for issuing a bench warrant, writ of habeas corpus, scire facias and each execution in sessions, one dollar and fifty cents; (ff) for issuing a warrant, taking a recognizance or other services in the sessions as magistrate ex officio, the same fees as allowed that officer; (gg) for each writ of venire facias, including all services incident to summoning jurors, two dollars; (hh) for preparing and issuing certificates for grand and petit jurors and constables and furnishing

returns to county commissioners for each term of the court of common pleas and general sessions, five dollars; (ii) for filing a petition and signing a writ of de lunatico inquirendo, one dollar; (jj) for furnishing advertisements in cases of escheat, exclusive of printer's bill, one dollar and for recording whole proceedings therein, two dollars; (kk) for issuing a license to an attorney, all services included, five dollars; (ll) for filing and entering a notice of an alien's intention to become a citizen, one dollar; (mm) for filing and recording a report of an alien, one dollar; (nn) for administering an oath of intention, one dollar; (oo) for filing and entering an application to become a citizen and administering an oath of intention, one dollar; (pp) for filing and entering an application to become a citizen and administering the oath of citizenship, two dollars; (qq) for giving a certificate, over seal of office, of citizenship, one dollar; (rr) for taking a renunciation of dower or inheritance, two dollars; (ss) for every search for a paper found (not to be charged to the parties or attorneys when for papers in a case pending), fifteen cents; (tt) for every search necessary for a certificate that a paper is not to be found in his office, twenty-five cents; (uu) for swearing a magistrate or constable in office, taking constables' bonds and giving certificates thereof, one dollar; (vv) for every probate in writing, twenty-five cents; (ww) for signing and sealing a dedimus potestatem, seventy-five cents; (xx) for an official certificate to an exemplification of a record, seventy-five cents; (yy) for an official certificate without the seal, twenty-five cents; (zz) for each day engaged in holding a reference, one dollar; (aaa) for making up and returning a report, but no more than one report in each case, three dollars; (bbb) for a mortgage, two dollars; (ccc) for recording and copying other papers, eight cents per copy sheet of one hundred words; (ddd) for entering satisfaction on a mortgage, fifteen cents; (eee) for recording a chattel mortgage of less than one hundred dollars, one dollar, and if over one hundred dollars, one dollar and fifty cents; (fff) for indexing a labor contract, twenty-five cents; (ggg) for recording a plat of six corners or less, one dollar, and five cents for each additional corner; (hhh) for attesting sales and actions of mortgages, twenty-five cents, and recording them, fifty cents; (iii) for recording a deed, one dollar and twenty-five cents, plus fifty cents for each page in excess of one; (jjj) for recording a lease, agreement, contract for sale of real estate, or option to buy real estate, one dollar, plus fifty cents for each page in excess of two; (kkk) for recording a

corporate charter, one dollar and fifty cents; (lll) for recording an assignment or satisfaction of a mortgage with probate, one dollar, plus fifty cents for each page in excess of one; (mmm) for recording a paste-in plat of one lot, fifty cents, of two lots, one dollar, of three lots, one dollar and fifty cents of four lots or more, two dollars; (nnn) for filing an order, one dollar for each page; (ooo) for filing a report, one dollar for each page; (ppp) for filing testimony, fifty cents; (qqq) for filing an answer, fifty cents; (rrr) for filing an affidavit, fifty cents; (sss) for filing a motion, fifty cents; (ttt) for filing a decree, one dollar for each page; (uuu) for entering and enrolling a judgment, one dollar; (vvv) for recording a judgment, one dollar and fifty cents; (www) for filing an order dismissing a case, one dollar; (xxx) for filing a default judgment, five dollars; (yyy) for filing a transcript of judgment from magistrate court, two dollars and fifty cents; (zzz) for filing a notary public commission, one dollar; and (aaaa) for filing a doctor's license, one dollar.

The clerk of court shall record, without any charge or fee, any deed the grantee of which is a public school, or the trustees thereof, a public school district or a church, or the trustees or governing body thereof, and any plats of land owned by any public school, school district or church."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R524, S220)

**No. 312**

**An Act To Amend Chapter 2 Of Title 46, Article 5 Of Chapter 8 Of Title 46, And Section 46-702 Of The 1962 Code, Relating To The Registration And Licensing Of Uninsured Motor Vehicles, Motor Vehicle Liability Policies And Definitions Used In The Motor Vehicle Responsibility Act, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Chapter 2, Title 46, 1962 Code, amended—registration and licensing of uninsured motor vehicles.**—Chapter 2 of Title 46 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

## “CHAPTER 2

“Section 46-135. As used in this chapter:

(1) The term ‘conviction’ shall also include the entry of any plea of guilty or of nolo contendere and the forfeiture of any bail or collateral deposited to secure a defendant’s appearance;

(2) The term ‘insured motor vehicle’ means a motor vehicle as to which (a) there is bodily injury liability insurance and property damage liability insurance, both in the amounts specified in Subsection (1) of Section 46-750.11, issued by an insurance carrier authorized to do business in this State, (b) a bond has been given or cash or securities delivered in lieu of such insurance or (c) the owner has qualified as a self-insurer in accordance with the provisions of Section 46-709; and

(3) The term ‘uninsured motor vehicle’ means a motor vehicle as to which (a) there is no such bodily injury liability insurance and property damage liability insurance, (b) no such bond has been given or cash or securities delivered in lieu thereof or (c) the owner has not so qualified as a self-insurer.

“Section 46-136. In addition to any other fees prescribed by law, every person registering and licensing an uninsured motor vehicle, as defined in Section 46-135, in this State shall pay, at the time of registering and licensing such uninsured motor vehicle, a sum to be fixed by the Chief Insurance Commissioner, which sum shall not exceed twenty dollars, the amount of such sum to be determined by the Commissioner in accordance with sound actuarial principles; *provided*, that credit for payment made on a motor vehicle subsequently transferred during the same licensing year shall be applied to any motor vehicle thereafter registered by such uninsured motorist during the same licensing year. Any person who has paid the additional twenty dollar fee as required by this section and who files with the State Highway Department, within sixty days after registration of the vehicle, a certificate of automobile liability insurance, may be entitled to a pro rata refund of the additional twenty dollar fee; *provided*, he has not been involved in a motor vehicle accident or otherwise required to demonstrate financial responsibility prior to the filing of the certificate of insurance.

In addition to any other fees prescribed by law, every person registering and licensing any self-propelled motor scooter or motor bike or similar vehicle propelled by a motor not exceeding ten-brake horse power shall pay at the time of registering and licensing such vehicles a fee not exceeding five dollars.

"Section 46-137. Every person applying for a registration for a motor vehicle and declaring same to be an insured motor vehicle shall, under the penalties provided in Section 46-138.1 and Section 46-138.7, execute and furnish to the Department his certificate that such motor vehicle is an insured motor vehicle and that he will maintain insurance thereon during the registration period. The Department may require any registered owner, or any applicant for registration and licensing of a motor vehicle declared to be an insured motor vehicle, to submit a certificate of insurance executed by an authorized agent or representative of an insurance company authorized to do business in this State. Such certificate of insurance shall be in a form prescribed by the Department.

"Section 46-138. Prior to the termination of insurance by cancellation or refusal to renew by the insurer, at least ten days notice of such cancellation or refusal to renew shall be forwarded to the insured at his designated address by certified mail and in such event, or in the event of any termination of insurance by the insured, notice of such cancellation or other termination shall be filed by the insurer with the department not later than five days following the effective date of such cancellation or other termination.

"Section 46-138.1. (a) If during the period for which it is licensed, a motor vehicle is or becomes an uninsured motor vehicle, the owner thereof shall pay to the Department the uninsured motorist fee provided for in Section 46-136 as upon an initial licensing and registration of the motor vehicle.

(b) If an uninsured motor vehicle, subject to registration in this State, is driven on the highways of this State and the owner thereof has not paid the uninsured motorist fee of twenty dollars as prescribed in Section 46-136, then the Department shall suspend such owner's driver's license and all of his license plates and registration certificates until he has paid to the Department a fee of twenty dollars to be disposed of as provided in Section 46-138.2, and furnished proof of financial responsibility as provided in Chapter 8 of this Title.

"Section 46-138.2. All funds collected by the Department under the provisions of this chapter shall be deposited to the credit of the State Treasurer and monthly transferred to a special deposit fund to be known as the 'Uninsured Motorists Fund' to be disbursed as provided in Sections 46-138.3 and 46-138.4.

"Section 46-138.3. The Uninsured Motorists Fund provided for in Section 46-138.2 shall be under the supervision and control of

the Chief Insurance Commissioner and shall be paid out, on warrants of the Comptroller issued on vouchers signed by the Chief Insurance Commissioner or such persons as he shall designate, for the purpose of defraying the administrative cost of this Chapter by the State Highway Department and for reducing to the insurance companies the costs of the uninsured motorists endorsement or provisions.

“Section 46-138.4. The Chief Insurance Commissioner shall annually, at such time in each year as he deems best for the purposes, make distribution from the fund as follows:

(1) To the Department, the amount certified by it as its administrative costs and expenses for administering this Chapter. These payments may be made on a quarterly basis.

(2) Among the several insurance companies writing motor vehicle bodily injury and property damage insurance on motor vehicles registered in this State, the balance of such fund, after taking out the administrative costs to be paid to the Department. Distribution among the insurance companies shall be based as nearly as possible upon the ratio that each insurance company's exposure to loss under the uninsured motorist coverage required to be furnished to its automobile policyholders without cost by Article 5 of Chapter 8 as amended by this act, bears to the total exposure to loss under such uninsured motorist coverage by all insurers which wrote automobile liability insurance in South Carolina during all or any part of the preceding year. The Chief Insurance Commissioner is empowered to issue such rules and regulations as he may deem necessary for the maintenance of records and the reporting of experience necessary to achieve a fair distribution of the fund among the insurance companies, and to this end he may utilize any of the statistical organizations authorized to file experience data in this State pursuant to Section 37-655. Any insurance company that fails to maintain records and report experience as required by the Commissioner shall forfeit its right to participate in the distribution of the fund.

“Section 46-138.6. The Chief Insurance Commissioner shall have power to issue such rules and regulations as may be necessary to carry out the provisions and intent of this chapter.

“Section 46-138.7. Any person knowingly making a false certificate as to whether a motor vehicle is an insured motor vehicle or presenting to the Department false evidence that any motor vehicle sought to be registered is insured shall be guilty of a misdemeanor

and on conviction thereof, shall be fined not less than fifty dollars nor more than one hundred dollars or imprisoned for not less than ten days nor more than thirty days. The Department shall deny, for a period of six months, registration of any motor vehicle for which a false certificate or false evidence is presented that the vehicle is insured and shall revoke, and not thereafter reissue for a period of six months, the driver's license of any person making such false certificate or offering such false evidence, and then only when all other provisions of law have been complied with by such person.

"Section 46-138.8. Any person owning or knowingly operating an uninsured motor vehicle without having paid to the Department a fee of twenty dollars to be disposed of as provided in Section 46-138.2 shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

"Section 46-138.9. This chapter shall not repeal any other provision contained in this Title, but shall be considered cumulative thereto."

**SECTION 2. Item 3 of Section 46-702, 1962 Code, amended—definition of insured motor vehicle.**—Item 3 of Section 46-702 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"(3) 'Insured Motor Vehicle.' Except in Article 5 of this chapter, a motor vehicle as to which there is bodily injury liability insurance and property damage liability insurance, meeting all of the requirements of Item 7 of this section, or as to which a bond has been given or cash or securities delivered in lieu of such insurance or as to which the owner has qualified as a self-insurer in accordance with the provisions of Section 46-709;".

**SECTION 3. Item 7 of Section 46-702, 1962 Code, amended—definition of motor vehicle liability policy.**—Item 7 of Section 46-702 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"(7) 'Motor vehicle liability policy.' An owner's or an operator's policy of liability insurance that fulfills all the requirements of Article 5 of this Chapter, as amended by this act, certified as provided in Sections 46-748 or 46-749 as proof of financial responsibility and issued, except as otherwise provided in Section 46-749, by an insurance carrier duly authorized to transact business in this State, to or for the benefit of the person or persons named therein as insured, and any other person, as insured, using the vehicle described there-

in with the express or implied permission of the named insured, and subject to the following special conditions:

(a) Contents of motor vehicle liability policy. The motor vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period and the limits of liability and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage, or both, and is subject to all of the provisions of this chapter.

(b) Provisions deemed incorporated in such policy. Every motor vehicle liability policy shall be subject to the following provisions, which need not be contained therein:

(1) The liability of the insurance carrier with respect to the insurance required by this chapter shall become absolute whenever injury or damage covered by the motor vehicle liability policy occurs;

(2) The policy may not be cancelled or annulled as to the liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage;

(3) No statement made by the insured or on his behalf and no violation of the policy shall defeat or void the policy;

(4) The satisfaction by the insured of a judgment for the injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage;

(5) The insurance carrier shall have the right to settle any claim covered by the policy, and if the settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in Subsection (1) of Section 46-750.11 of the 1962 Code; and

(6) The policy, written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this chapter shall constitute the entire contract between the parties.

(c) What policy need not cover. The motor vehicle liability policy need not insure any liability under the Workmen's Compensation Law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of the motor vehicle, nor any liability for damage to property owned by, rented to, in charge of or transported by the insured.

(d) Additional coverage permitted. Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy and the excess or additional coverage shall not be subject to the provisions of this chapter. With respect to a policy which grants this excess or additional coverage, the term 'motor vehicle liability policy' shall apply only to that part of the coverage which is required by this Article.

(e) Additional permissible provisions. Any motor vehicle liability policy may provide:

(1) That the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this chapter; and

(2) For the prorating of the insurance thereunder with other valid and collectible insurance.

(f) Requirements may be met by several policies. The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(g) *Legal* binder deemed to meet requirements. Any *legal* binder issued pending the issuance of a motor vehicle liability policy shall be considered as fulfilling the requirements for such policy.

(h) Notice required to cancel certified policy; cancellation by subsequent policy. When an insurance carrier has certified a motor vehicle liability policy under Section 46-748 or Section 46-749, the insurance so certified shall not be cancelled or terminated until at least ten days after a notice of cancellation or termination of the insurance certified shall be filed with the Department, except that a policy subsequently procured and certified shall at 12:01 A. M., on the effective date of its certification, terminate the insurance previously certified with respect to any motor vehicle designated in both certificates.

(i) Other required policies unaffected. This chapter shall not be held to apply to or affect policies of automobile insurance against liability *insuring public carriers or policies* which may be required by any other law of this State, *any law or ordinance of any municipality or any law or regulation of the United States or any of its agencies*, and those policies, if they contain an agreement or are endorsed to conform with the requirements of this chapter, may be certified as proof of financial responsibility under this chapter.

(j) Chapter inapplicable to policies covering use by employees, etc., of vehicles not owned by insured. This chapter shall not be held to apply to or affect policies insuring solely the insured named in the policy against liability resulting from the maintenance or use by the persons in the insured's employ or on his behalf of motor vehicles not owned by the insured;”.

**SECTION 4. Item 13 of Section 46-702, 1962 Code, amended—definition of proof of financial responsibility.**—Item 13 of Section 46-702 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“(13) ‘Proof of financial responsibility:’ Proof of ability to respond in damages for liability, as provided in Section 46-137, or, on account of accidents occurring after the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle, in the amount of ten thousand dollars because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, in the amount of twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident and in the amount of five thousand dollars because of injury to or destruction of property of others in any one accident;”.

**SECTION 5. Item 16 of Section 46-702, 1962 Code, amended—definition of uninsured motor vehicle.**—Item 16 of Section 46-702 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“(16) ‘Uninsured motor vehicle:’ Except in Article 5 of this chapter, any motor vehicle which is not an insured motor vehicle as defined in Item 3 of this section.”

**SECTION 6. Article 5, Chapter 8, Title 46, 1962 Code, amended—motor vehicle liability policies.**—Article 5, Chapter 8, Title 46 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“ARTICLE 5.

“Section 46-750.11. (1) No policy or contract of bodily injury liability insurance or of property damage liability insurance, covering liability arising from the ownership, maintenance or use of any motor vehicle, shall be issued or delivered in this State to the owner of such vehicle, or shall be issued or delivered by an insurer licensed in this State upon any motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured, against loss from the liability im-

posed by law for damages arising out of the ownership, maintenance or use of such motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows: ten thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to such limit for one person, twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and five thousand dollars because of injury to or destruction of property of others in any one accident.

(2) No such policy or contract shall be so issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the Uninsured Motorist Provision, undertaking to pay the insured all sums which he shall be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which shall be no less than the requirements of Subsection (1) of this section as amended from time to time. Such provision shall also provide for no less than five thousand dollars coverage for injury to or destruction of the property of the insured in any one accident, but may provide an exclusion of the first two hundred dollars of such loss or damage. No additional charge shall be made to the policyholder for such Uninsured Motorist Provision. The Chief Insurance Commissioner may prescribe the form to be used in providing such coverage and when prescribed and promulgated no other form may be used. No action shall be brought under the Uninsured Motorist Provision unless copies of the pleadings in the action establishing such liability are served in the manner provided by law upon the insurance carrier writing such Uninsured Motorist Provision. The insurance carrier shall have the right to appear and defend in the name of the uninsured motorist in any action which may affect its liability, and shall have twenty days after service of process on it in which to make such appearance. The evidence of service upon the insurance carrier shall not be made a part of the record.

(3) As used in this article:

(A) The term 'bodily injury' shall include death resulting therefrom;

(B) The term 'uninsured motor vehicle' means a motor vehicle as to which (a) there is no bodily injury liability insurance and property damage liability insurance both in the amounts specified in subsection (1) of this section, as amended from time to time, or (b)

there is nominally such insurance, but the insurance carrier writing the same successfully denies coverage thereunder, or (c) there was such insurance, but the insurance carrier who wrote the same is declared insolvent, or is in delinquency proceedings, suspension, or receivership, or is proven unable fully to respond to a judgment, and (d) there is no bond or deposit of cash or securities in lieu of such bodily injury and property damage liability insurance. A motor vehicle shall be deemed to be uninsured if the owner or operator thereof be unknown, *provided*, that recovery under the Uninsured Motorist Provision shall be subject to the conditions hereinafter set forth.

(C) The term 'insured' means the named insured and, while resident of the same household, the spouse of any such named insured and relatives of either, while in a motor vehicle or otherwise, and any person who uses, with the consent, expressed or implied, of the named insured, the motor vehicle to which the policy applies and a guest in such motor vehicle to which the policy applies or the personal representative of any of the above.

(4) If the owner or operator of any motor vehicle which causes bodily injury or property damage to the insured be unknown, there shall be no right of action or recovery under the Uninsured Motorist Provision, unless (a) the insured or someone in his behalf shall have reported the accident to some appropriate police authority within a reasonable time, under all the circumstances, after its occurrence and unless (b) the injury or damage was caused by physical contact with the unknown vehicle, and (c) the insured was not negligent in failing to determine the identity of the other vehicle and the driver of the other vehicle at the time of the accident.

(5) If the owner or operator of any vehicle causing injury or damages by physical contact be unknown, an action may be instituted against the unknown defendant as 'John Doe' and service of process may be made by delivery of a copy of the summons and complaint or other pleadings to the clerk of the court in which the action is brought. The insurance carrier shall have the right to defend in the name of John Doe; *provided*, that the bringing of an action against the unknown owner or operator as John Doe or the conclusion of such an action shall not constitute a bar to the insured, if the identity of the owner or operator who caused the injury or damages complained of becomes known, from bringing an action against the owner or operator theretofore proceeded against as John Doe. Nothing in the Uninsured Motorist Provision nor any other provisions of law

shall operate to prevent the joining, in an action against John Doe, of any other person causing such injury as a party defendant, and such joinder is hereby specifically authorized.

(6) An insurance carrier paying a claim under the Uninsured Motorist Provision required by subsection (2) of this section shall be subrogated to the rights of the insured to whom such claim was paid against any and every person causing such injury, death or damage to the extent that payment was made; *provided*, that such insurance carrier shall pay its proportionate part of any reasonable costs and expense incurred in connection with any recovery, including reasonable attorneys' fees.

(7) The Uninsured Motorist Provision shall not require arbitration of any claim arising thereunder, nor may anything not otherwise herein provided for or as may be provided in the form prescribed by the Chief Insurance Commissioner be required of the insured except the establishment of legal liability of the uninsured motorist, nor shall the insured be restricted or prevented in any manner from employing legal counsel or instituting legal proceedings.

(8) The Uninsured Motorist Provision need not insure any liability for property damages for which loss a policyholder has been compensated by insurance or otherwise.

(9) The automobile liability policy need not insure any liability under the Workmen's Compensation Law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of the motor vehicle nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured."

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day June, 1963.

**An Act To Amend Section 46-570 Of The 1962 Code, Relating To The Pulling Of Certain Trailers Without Brakes, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 46-570, 1962 Code, amended—not applicable to certain trailers.**—Section 46-570 of the 1962 Code is amended by striking it and inserting in lieu thereof the following:

“Section 46-570. This subdivision of this article shall not apply to trailers, not exceeding eight thousand pounds gross weight, which are pulled behind farm tractors or trucks and used in the transportation of farm products and articles to and from farms. Trailers so pulled shall not exceed a speed greater than 20 miles per hour.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R526, S346)

**No. 314**

**An Act To Provide For The South Carolina Retarded Children's Habilitation Center.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Definition of mentally retarded.**—For the purpose of this act the mentally retarded are persons who, because of inadequately developed intelligence, are significantly impaired in their ability to learn and to adapt to the demands of society. The Center shall be maintained for the care and training of persons who are mentally retarded and who cannot receive adequate care and training in the community.

**SECTION 2. S. C. Retarded Children's Habilitation Center established—to be governed by a board.**—There is hereby established an institution to be known as the South Carolina Retarded Children's Habilitation Center to be governed by a board of trustees to be composed of seven members who shall be appointed by the Governor, one from each congressional district and one at large, all of which appointments shall be by and with the advice and consent of the Senate. The terms of the board first appointed to be staggered so that three shall serve for terms of three years, two for terms of two years and two for one year, thereafter all terms shall be for three years. The board shall serve until their successors are appointed and qualify. Any vacancy on the board shall be filled in the same manner as the original appointment for the unexpired portion of

the term. Any member of the board may be removed by the Governor for cause.

**SECTION 3. Officers.**—The board shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman for a three-year term and shall meet thereafter at the institution at such times as the chairman of the board or a majority thereof shall direct but not less than once during each quarter. The superintendent shall act as secretary ex officio to the board or shall appoint a suitable person to so act.

**SECTION 4. Powers—compensation.**—In addition to the administration of a residential program for the care, training and habilitation of the mentally retarded, the board shall be authorized to contract with other state institutions and agencies and private nonprofit agencies in order to provide more comprehensive and efficient services to the mentally retarded. The board may also apply for funds available from foundations and federal agencies to be used to finance part of its program, including the training of professional personnel and the conducting of research projects.

The board shall receive no compensation for its services, but the members shall be allowed the per diem and mileage as authorized by law for members of boards, commissions and committees while in the performance of the duties for which appointed, which shall be paid on warrants signed by the superintendent drawn against the annual appropriation for the institution.

**SECTION 6. Duties.**—The board is vested with the supervision and control of the property and affairs and government of The Center, with power to regulate salaries of officers and other employees, establish regulations for the admission of applicants therein and prescribe such rules, regulations and bylaws as shall be necessary for the efficient management thereof.

The board shall report annually to the General Assembly giving a full history of the institution during the past year.

**SECTION 7. Superintendent.**—The board shall elect a superintendent of The Center, who shall be a professionally trained and experienced specialist in mental retardation. He shall be the immediate executive head of the institution, be responsible to the board and shall be the official medium of communication between the board and other employees of the institution.

The superintendent, acting with such discretionary power as may be given him by the board, may organize The Center into departments for efficient management and services.

**SECTION 8. Voluntary admission.**—Subject to the availability of suitable accommodations and if in the judgment of the board the person is a legal resident of this State or eligible for admission under the terms of the Interstate Compact on Mental Health or a supplementary agreement thereto and is a proper subject for voluntary admission to The Center, the superintendent shall admit for observation, diagnosis, training, care and treatment any person who is mentally retarded, if his parents, parent with custody, county governing body, lawful custodian or legal guardian apply therefor on his behalf.

The whole or part of the expenses of the several applicants shall be paid according to the opinion which the board may form as to the pecuniary ability of the applicants, their parents or guardians. All funds collected for such expenses shall be remitted to the State Treasurer on the first of each calendar month. These funds shall be used to amortize bonds issued for capital improvement for The Center.

**SECTION 9. Involuntary admission.**—Proceedings for the involuntary admission to The Center of any person who is a legal resident of this State or eligible for admission under the terms of the Interstate Compact on Mental Health or a supplementary agreement thereto may be commenced by the filing of a written application with the probate court or any other court having jurisdiction by any friend, relative, guardian or the superintendent of any public or private institution in which such individual may be.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

**An Act To Repeal Section 16 Of Act 1030 Of 1962, The Anderson County Appropriation Act For The Fiscal Year 1962-1963, Relating To The Prohibition Against Adding Tax Millage Without The Consent Of A Majority Of The Anderson County Legislative Delegation, Including The Senator.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 16 of Act 1030 of 1962 repealed.**—Section 16 of Act 1030 of 1962 is repealed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R528, S373)

**No. 316**

**An Act To Provide That Notice Of The Annual Meeting Of Shareholders Of State Chartered Savings And Loan Or Building And Loan Associations May Be Given As Provided In The By-Laws And By Publication.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Notice of annual meeting of shareholders of building and loan associations.**—Notwithstanding any other provision of law, notice of the annual meeting of the shareholders of a savings and loan association or a building and loan association chartered by this State may be given as provided in the by-laws of the association, except that notice of such annual meeting shall, in all events, be given by publishing once a week for three weeks in a newspaper of general circulation in the county in which the association is located a notice stating the time and place of such annual meeting.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R529, S376)

**No. 317**

**An Act To Increase The Civil Jurisdiction Of Magistrates In Lancaster County To Two Hundred Dollars.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Civil jurisdiction of magistrates in Lancaster County.**—Notwithstanding the provisions of Section 43-51 of

the 1962 Code or any other law to the contrary the civil jurisdiction of all magistrates in Lancaster County shall extend to cases where the amount in controversy does not exceed two hundred dollars; *provided*, such jurisdiction shall not extend to cases where the title to real estate is in question or to cases in chancery.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R530, S390)

**No. 318**

**An Act To Amend Section 21-3101 Of The 1962 Code, Relating To The Board Of Education Of Jasper County, So As To Include The Superintendent Of Education As A Member Of The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3101, 1962 Code, amended—Jasper County Board of Education.**—Section 21-3101 of the 1962 Code is amended by striking the period at the end of the first sentence and adding: “and the superintendent of education, ex officio.” When so amended, the section shall read:

“Section 21-3101. The board of education of Jasper County shall be composed of five qualified electors of the county and the superintendent of education, ex officio. One member shall be appointed from each township in the county and one shall be appointed from the county at large. The members shall be appointed and commissioned by the Governor upon the written recommendation of the legislative delegation of the county. Three members shall be appointed for an initial term of two years and two shall be appointed for an initial term of three years, after which their successors shall be appointed for regular terms of four years. In case of vacancies, successors shall be appointed for the unexpired terms. The county superintendent of education shall be secretary to the board.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R531, S399)

**No. 319**

**An Act To Amend Section 33-35, Code Of Laws Of South Carolina, 1962, Relating To Compensation And Official Expenses Of District Highway Commissioners, So As To Provide Further Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 33-35, 1962 Code, amended—compensation of highway commissioners.**—Section 33-35 of the Code of 1962 is amended by striking out the section in its entirety and inserting in lieu thereof the following which shall be Section 33-35:

“Section 33-35. Each district highway commissioner shall receive compensation in the amount of three hundred dollars per annum, and official expenses as provided by law for members of State boards and commissions.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R532, S400)

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**No. 320**

**An Act To Change The Open Season On Quail In Game Zone No. 6.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail season in Game Zone 6.**—In Game Zone No. 6 quail may be hunted from the Monday before Thanksgiving to March first, inclusive. *Provided*, the provisions of this act shall not apply to Bamberg County in which county said season shall remain as now provided by law.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R533, S430)

**No. 321****An Act To Amend Section 15-277 Of The 1962 Code, Relating To Terms Of Court In The Eighth Judicial Circuit, So As To Further Provide For Terms In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Item (2) of Section 15-277, 1962 Code, amended—terms of court for Greenwood County.**—Item (2) of Section 15-277 of the 1962 Code is amended by striking in its entirety and inserting in lieu thereof the following :

“(2) The court of general sessions for Greenwood County shall be held at Greenwood for one-week terms on the second Monday in January, the second Monday in April, the fourth Monday in June and the second Monday in September. The court of common pleas for the county shall be held at Greenwood for a two-week term beginning on the first Monday in February, for one-week terms beginning the first Monday in March, the third Monday in April, the fourth Monday in May, the first Monday after the fourth Monday in September, and the third Monday in November.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R534, S431)

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**No. 322****An Act Providing For The Designation Of Official Rural Firemen In Lancaster County, And Providing That They Be Covered Under South Carolina Workmen's Compensation Law.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Official rural firemen to be designated in Lancaster County.**—Each rural fire department in Lancaster County shall designate ten of its members as official rural firemen and those so designated shall be covered under The South Carolina Workmen's Compensation Law. *Provided*, additional members may be designated as official rural firemen and in such event the premiums for the additional members shall be paid from the funds annually appropriated to the various departments.

The chief of each rural fire department shall certify the names of those so designated to the governing body of the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R535, S408)

**No. 323**

**An Act To Amend Act No. 776 Of 1962, As Amended, Relating To The County Court For Charleston County, So As To Provide For A Substitute Judge.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 4 of Act 776 of 1962 amended—vacancies—substitute judge.**—Section 4 of Act No. 776 of 1962 is amended by adding at the end thereof the following :

*“Provided, if the judge dies or is absent for any reason, the Judge of the Municipal Court of the City of Charleston, if he possesses the statutory qualifications required of the County Judge, shall serve as County Judge until the vacancy is filled or until the County Judge returns.*

*“Provided, further, that when the Judge of the Municipal Court is unable to serve, the resident Circuit Judge shall appoint a person possessing the required qualifications of the County Judge to so serve. The compensation of the substitute judge shall be provided for by the governing body of the county.”* The section when so amended shall read as follows :

*“Section 4. All vacancies in the office of the County Judge shall be filled by appointment by the Governor in the same manner as provided herein for the original appointment. Provided, if the judge dies or is absent for any reason, the Judge of the Municipal Court of the City of Charleston, if he possesses the statutory qualifications required of the County Judge, shall serve as County Judge until the vacancy is filled or until the County Judge returns. Provided, further, that when the Judge of the Municipal Court is unable to serve, the resident Circuit Judge shall appoint a person possessing the required qualifications of the County Judge to so serve. The*

compensation of the substitute judge shall be provided for by the governing body of the county."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R537, S474)

**No. 324**

**An Act To Provide For The Payment Of Jurors In Magistrate Court Criminal Cases In Aiken County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Aiken County—compensation of jurors in magistrates courts.**—Jurors actually impanelled and sworn to serve in magistrate court criminal cases in Aiken County shall receive three dollars for each such case, to be paid by the county treasurer from the general fund of the county upon written certification by the appropriate magistrate.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R538, S479)

**No. 325**

**An Act To Amend Section 14-1165, Code Of Laws Of South Carolina, 1962, Relating To Compensation Of Members Of The Charleston County Council, So As To Increase Compensation Of The Members.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-1165, 1962 Code, amended—compensation of members.**—Section 14-1165, Code of Laws of South Carolina, 1962, is amended by striking on line 3 the word "six" and inserting in lieu thereof the words "one thousand two" and by adding after the word "thousand" on line 4 the words "five hundred," so that, when so amended, the section shall read as follows:

"Section 14-1165. The council shall fix the compensation of its members, but such compensation shall not exceed the amount of one thousand two hundred dollars per year for each member, except that the compensation of the chairman may be set at no more than one thousand five hundred dollars per year."

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R539, S493)

**No. 326**

**An Act To Make Special Provision For Certain Fees Charged By The Clerk Of Court For Aiken County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Clerk of Court fees for Aiken County.**—Notwithstanding any provision of law to the contrary, the Clerk of Court for Aiken County shall receive the fees set forth in this act, except that if the fee for any service be not set forth in this act then such fee shall be as otherwise provided by general law :

(A) **DEED**—regular forms, one dollar and fifty cents, including auditor's fee of twenty-five cents; extra probate (over one), fifty cents; extra dower (over one), fifty cents; extra whereas clause, twenty-five cents; extra signers (over two), twenty cents; irregular forms, one dollar per page—minimum two; certified copy, two dollars and fifty cents, plus fifteen cents for form.

(B) **MORTGAGE**—real estate, regular forms, one dollar and fifty cents; irregular forms, per page, one dollar; paste in forms, three dollars and fifty cents; chattel under one hundred dollars (indexing) short description, fifty cents; chattel over one hundred dollars with copy or blank, seventy-five cents; chattel over one hundred dollars, regular form with copy or blank, one dollar; irregular form or regular without copy or blank, one dollar and fifty cents, certified copy, two dollars and fifty cents plus fifteen cents for form; assignment, fifty cents; satisfaction (regular), twenty-five cents; release, one

dollar; subordination agreement, one dollar per page; extension of mortgage, one dollar per page.

(C) BILL OF SALE—regular, one dollar and fifty cents; extra pages (over two), one dollar per page.

(D) LEASES AND CONTRACTS—short form with copy, one dollar; short form without copy, one dollar and fifty cents; extra pages without form (over two), one dollar per page.

(E) AFFIDAVITS AND PARTNERSHIPS—one dollar per page.

(F) MECHANICS LIEN—short form, one dollar and fifty cents; extra pages, one dollar per page.

(G) OPTION—short form, one dollar and fifty cents; extra pages (over two), one dollar per page; extension, one dollar per page.

(H) CHARTERS—regular, two dollars; amendment, one dollar; extra pages (over one), one dollar per page.

(I) LIS PENDENS—twenty-five cents.

(J) TAX LIENS—one dollar and fifty cents.

(K) WARRANT OF ATTACHMENT—three dollars and fifty cents.

(L) FILING ORDER—one dollar.

(M) FILING ANSWER OR OTHER SIMILAR PAPER—twenty-five cents.

(N) ENTERING CAUSE ON COMMON PLEAS CALENDAR EACH TERM OF COURT—fifteen cents.

(O) FILING SUMMONS OR SUMMONS AND COMPLAINT, CIVIL CASES—one dollar.

(P) JUDGMENT ROLL—seventy-five cents per page; release or satisfaction of judgment, seventy-five cents per page.

(Q) POWER OF ATTORNEY—two dollars.

(R) REGISTERING LICENSE—Physicians, etc., one dollar.

(S) REGISTERING NOTARY PUBLIC COMMISSIONS—one dollar.

(T) PLATS—small, one dollar and fifty cents plus ten cents per corner if traced; large, three dollars plus ten cents per corner if traced; certified copy (traced), two dollars and fifty cents plus ten cents per corner.

(U) COURT PAPERS—certified copy, two dollars and fifty cents; extra pages (over two), one dollar per page.

(V) DISCHARGE—certified copy, two dollars.

(W) ORDER—signing, without seal, fifty cents.

(X) INDEXING—extra names, direct and cross, twenty cents each; in more than one set of indexes, fifty cents minimum.

(Y) OTHER, UNUSUAL CHARGES—in the discretion of the Clerk of Court.

**SECTION 2. Prior charges ratified.**—All charges made by the clerk of court prior to effective date of this act are hereby ratified and confirmed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R540, S437)

**No. 327**

**An Act To Increase The Number Of Petit Jurors Drawn In Greenwood County To Forty-Six.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Number of jurors to be drawn in Greenwood County.**—Notwithstanding the provisions of Section 38-61 of the 1962 Code, the jury commissioners of Greenwood County shall draw forty-six petit jurors.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R541, S443)

**No. 328**

**An Act To Create The Board Of Tax Appeals For Hampton County; To Provide For Its Membership; To Prescribe Their Terms Of Office, Powers And Duties; And To Provide For Appeals From The Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Hampton County board of tax appeals created.**—There is created in Hampton County a board of tax appeals, which shall consist of three residents of the county, who shall

be appointed by the Governor on nomination of a majority of the county legislative delegation. They shall hold office for a term of four years and until their successors shall have been appointed and qualified. Any vacancy however occurring shall be filled for the unexpired term in the manner of an original appointment. They shall organize by electing one of their number chairman and another secretary.

**SECTION 2. Appeals to board.**—Any property owner or his agent aggrieved by any decision or action concerning the assessment of county taxes shall have the right to appeal to the board of tax appeals after giving ten days written notice. The notice shall specify the grounds of the appeal. The board shall then fix a time and place for the hearing and shall give such notice to the appellant and to the assessing officer or board.

**SECTION 3. Appeals to Tax Commission.**—All appeals from the board of tax appeals shall be to the South Carolina Tax Commission. Written notice shall be filed with the South Carolina Tax Commission and with the board of tax appeals. The notice shall set forth the grounds for the appeal. Upon the hearing of the appeal, the South Carolina Tax Commission may either increase, decrease or affirm the action of the board of appeals.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R542, S444)

**No. 329**

**An Act To Amend Section 46-657.1, Code Of Laws Of South Carolina, 1962, As Amended, Relating To The Length Of Vehicles And Combinations Of Vehicles, So As To Provide For The Operation Of Certain Combinations Of Vehicles By Municipalities.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 46-657.1, 1962 Code, amended—length of vehicles and combination of vehicles.**—Section 46-657.1, Code of Laws of South Carolina, 1962, as amended, is further amended by adding thereto the following proviso :

*“Provided, further, that municipalities may operate combinations of vehicles of not more than four units on city streets within the corporate limits of the municipality owning and operating such combination of units, and the operation of such combinations of units shall be limited to daylight hours and to speeds not in excess of fifteen miles per hour; and also, such combination units shall be equipped with brakes for braking requirements of Section 46-568 and also the rear vehicle shall be equipped with at least one stop light.”* So that when so amended, the section shall read as follows:

“Section 46-657.1. No motor vehicle shall exceed a length of forty feet extreme over-all dimension, inclusive of front and rear bumpers and load carried thereon, and any motor vehicle in excess of thirty-five feet shall have not less than three axles, except buses with two axles approved by the Department. No combination of vehicles coupled together shall consist of more than two units, and no such combination of vehicles including any load thereon shall have an over-all length, inclusive of front and rear bumpers, in excess of fifty-five feet, except a house trailer and its pulling unit which may be sixty feet in over-all length and except as otherwise provided in respect to the use of a pole trailer as authorized in Section 46-659; *provided, that any combination of vehicles greater than fifty-five feet in length shall only be moved on highways within this State during daylight hours. Provided, further, that a combination of vehicles coupled together or especially constructed to transport motor vehicles in a truck-away or drive-away service may have a maximum length of sixty feet if no more than two saddle mounts are towed. Provided, further, that municipalities may operate combinations of vehicles of not more than four units on city streets within the corporate limits of the municipality owning and operating such combination of units, and the operation of such combinations of units shall be limited to daylight hours and to speeds not in excess of fifteen miles per hour; and also, such combination units shall be equipped with brakes for braking requirements of Section 46-568 and also the rear vehicle shall be equipped with at least one stop light.”*

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R545, S458)

**No. 330**

**AN ACT TO AMEND SECTION 21-1633 OF THE 1962 CODE, RELATING TO THE SCHOOL TRUSTEES OF JAMES ISLAND SCHOOL DISTRICT NO. 3 IN CHARLESTON COUNTY, SO AS TO INCREASE THE NUMBER OF SUCH TRUSTEES; AND TO PROVIDE FOR THEIR INITIAL TERMS.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-1633, 1962 Code, amended—trustees of James Island School District 3.**—Section 21-1633 of the 1962 Code is amended to read as follows:

“Section 21-1633. James Island School District No. 3, in Charleston County, shall have five school trustees, two of whom shall be residents of that area of the district lying north of Ellis Creek (also known as James Island Creek), two of whom shall be residents of that area of the district lying between Ellis Creek and the Folly River, and one of whom shall be a resident of that area of the district lying south of the Folly River, known as Folly Island.”

**SECTION 2. Appointments and terms.**—The additional trustees as provided for in Section 1 shall be appointed by a majority of the Charleston Legislative Delegation for terms ending December 31, 1964 as to the trustee from the area between Ellis Creek and the Folly River and December 31, 1966 as to the trustee from the area north of Ellis Creek. Their successors shall be elected for terms as provided for in Section 21-1631 of the 1962 Code.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R549, H1064)

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**No. 331**

**AN ACT TO AMEND SECTION 16-356, CODE OF LAWS OF SOUTH CAROLINA, 1962, RELATING TO STEALING, TAKING AWAY OR LETTING LOOSE CERTAIN WATERCRAFT OR STEALING OR TAKING AWAY CERTAIN APPLIANCES USED IN CONNECTION WITH WATERCRAFT, SO AS TO PROVIDE THAT IF THE VALUE OF THE WATERCRAFT OR APPLIANCES STOLEN, TAKEN AWAY OR LET LOOSE BE LESS THAN FIFTY DOLLARS THE CASE SHALL BE TRIABLE IN THE MAGISTRATE'S COURT, AND TO**

**Provide The Punishment In Such Cases In Lieu Of Other Penalties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 16-356, 1962 Code, amended—penalties for stealing watercraft or appliances.**—Section 16-356, Code of Laws of South Carolina, 1962, is amended by striking out the following on lines 18, 19, 20 and 21: “twenty dollars or less the offender, upon conviction before a magistrate, shall be subject to a fine not to exceed one hundred dollars or imprisonment not exceeding thirty days, in lieu of the penalties prescribed in this section”, and inserting in lieu thereof the following: “less than fifty dollars the cause shall be triable in the magistrate’s court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury. Such punishment shall be in lieu of the penalties prescribed in this section.”, so that when amended the section shall read as follows:

“Section 16-356. Whoever shall steal, take away or let loose any boat, piragua or canoe or steal or take away any grappling, painter, rope, sail or oar from any landing or place whatsoever where the owner or person in whose service or employ the thing stolen, taken away or let loose last had made fast or laid the same, except boats or canoes let loose from another boat, canoe or vessel, shall be liable to such fine as the court of general sessions shall impose in its discretion if the matter of fact be felony or larceny and make good to the person injured all damage he shall sustain and, if the matter be a trespass only, the person committing such offense shall make good to the person injured all damages that may accrue thereby and moreover forfeit and pay for every time he shall be found guilty the sum of twenty dollars, one moiety thereof to be paid to the State Treasurer for the public use and the other moiety to him or them that will sue and prosecute for the same in any court of competent jurisdiction in this State, besides his charges therein expended; *provided*, that when the boat, piragua, canoe, grappling, painter, rope, sail or oar or any or all of them so taken away, stolen or let loose shall be of the value of less than fifty dollars the cause shall be triable in the magistrate’s court and the punishment shall be not more than is permitted by law without presentment or indictment of the grand jury. Such punishment shall be in lieu of the penalties prescribed in this section.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R550, H1253)

**No. 332**

**An Act To Amend Sections 56-452, 56-454, 56-457, 56-462, 56-468, 56-472, 56-472.1 And 56-481 Of The 1962 Code, Relating To The Practice And Regulation Of Cosmetology, So As To Further Provide Therefor And To Provide For Shop Licenses, And To Repeal 56-471.3 Of The 1962 Code, Relating To Shop Licenses.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Apprentice changed to junior cosmetologist.**—Notwithstanding any other provision of law to the contrary the designation “an apprentice” is changed to “a junior cosmetologist” and the designation “apprentice” to “junior cosmetologist” wherever they appear in Chapter 8 of Title 56 of the 1962 Code.

**SECTION 2. Section 56-452, 1962 Code, amended—penalties.**—Section 56-452 of the 1962 Code is amended by adding at the end thereof the following: “Anyone who violates this section shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty dollars nor more than five hundred dollars or be imprisoned for a period of not less than one month nor more than five months.”

**SECTION 3. Section 56-454, 1962 Code, amended—compensation of members.**—Section 56-454 of the 1962 Code is amended by striking on lines 2 and 3 the following: “such per diem as is provided by law for members of boards, commissions and committees” and inserting in lieu thereof “fifteen dollars” and by striking on line 6 the word “ten” and inserting in lieu thereof “fifteen”, so that when amended the section shall read as follows:

“Section 56-454. Each member of the Board shall receive as compensation fifteen dollars for every day actually spent in the performance of his duties plus actual expenses incurred in the discharge of his duties; but no member shall receive compensation for more than fifteen days in any one month.”

**SECTION 4. Section 56-457, 1962 Code, amended—may employ personnel.**—Section 56-457 of the 1962 Code is amended by striking on line 1 the word “may” and inserting in lieu thereof “shall” and by striking on lines 1 and 2 the following: “, not exceeding two persons,” so that when amended the section shall read as follows:

“Section 56-457. The Board shall employ such clerical help as may be necessary to carry out the requirements and provisions of this chapter.”

**SECTION 5. Subsection (1) of Section 56-462, 1962 Code, amended—qualifications of junior cosmetologist.**—Subsection (1) of Section 56-462 of the 1962 Code is amended to read as follows:

“(1) Unless such person is at least sixteen years of age and possesses at least a seventh-grade education or the equivalent as established by tests used in the public schools and approved by the board or equivalent as established by psychological examinations determined by a certified psychologist;”.

**SECTION 6.1. Section 56-462, 1962 Code, amended—subsection (5) added—exemptions.**—Section 56-462 of the 1962 Code, as amended by this act, is further amended by adding at the end thereof the following subsection:

“(5) The requirements of subsections (1) and (3) shall not apply to any person accepted for training by the State Agency of Vocational Rehabilitation.”

**SECTION 7. First paragraph of Section 56-468, 1962 Code, amended—fees.**—The first paragraph of Section 56-468 of the 1962 Code is amended by striking on line 13 “seven dollars and fifty cents” and inserting in lieu thereof “ten dollars” and by striking on line 14 “five dollars” and inserting in lieu thereof “six dollars and fifty cents”, so that when amended the paragraph shall read as follows:

“The fee to be paid by an applicant for a certificate of registration to practice cosmetic art as an apprentice shall be three dollars and fifty cents. The fee to be paid by an applicant for examination to determine his fitness to receive a certificate of registration as a registered cosmetologist shall be five dollars. The annual license fee of a registered cosmetologist shall be five dollars, while the annual license fee of a registered apprentice shall be three dollars. All licenses for both apprentices and registered cosmetologists shall be renewed each year on March tenth. The fees herein set out shall not be increased by the Board but the Board may regulate the payment of such fees and pro-

rate the license fees in such manner as it deems expedient. The fee for registration of an expired certificate for a registered cosmetologist shall be ten dollars and for registration of an expired certificate of an apprentice shall be six dollars and fifty cents."

**SECTION 8. Section 56-472, 1962 Code, amended—curriculum for school and qualifications of teachers.**—Section 56-472 of the 1962 Code is amended by adding at the end thereof the following: "Upon payment of fifteen dollars for teacher's examination and certificate, the teacher's certificate shall be renewed annually without a charge to the teacher upon proof to the Board of the teacher having had advanced training approved by the Board during the year.", so that when amended the section shall read as follows:

"Section 56-472. A minimum curriculum for schools and minimum qualifications for teachers therein shall be drawn up and prescribed by the Board with the approval of the State Board of Education and the education committee of the South Carolina Registered Cosmetologists' Association. The Board shall issue a teacher's certificate to anyone who meets the prescribed qualifications. Upon payment of fifteen dollars for teacher's examination and certificate, the teacher's certificate shall be renewed annually without a charge to the teacher upon proof to the Board of the teacher having had advanced training approved by the Board during the year."

**SECTION 9. Section 56-472.1, 1962 Code, amended — schools to be licensed—fee.**—Section 56-472.1 of the 1962 Code is amended by striking on line 3 "fifty" and inserting in lieu thereof "one hundred", so that when amended the section shall read as follows:

"Section 56-472.1. Each school shall register with the Board and obtain an annual license for its operation. The application for the first year's registration of a school shall be accompanied by a fee of one hundred dollars which shall be its license fee for the first year. If the application is denied, the fee shall be returned. After the first year, the annual license fee for the operation of a school shall be twenty-five dollars. All licenses for the operation of beauty schools shall be renewed each year on the tenth day of March or any other date designated by the Board."

**SECTION 10. Subsection (1) of Section 56-481, 1962 Code, amended—misdemeanors.**—Subsection (1) of Section 56-481 of the 1962 Code is amended by striking "56-452" on line 2, so that when amended the subsection shall read as follows:

“(1) The violation of, or the failure to comply with, any of the provisions of Sections 56-471, 56-471.5, 56-472.3, 56-472.6, or 56-473;”

**SECTION 11. Shops to be registered—fee.**—All shops operating in this State shall register with the Board and pay a shop registration fee of five dollars; and each year thereafter they shall pay a shop license fee of five dollars before the tenth day of March or any other date designated by the Board. *Provided*, that shops commencing operation after the effective date of this act shall pay a shop registration fee of twenty-five dollars; and each year thereafter their shop license fee shall be the same as is required of other shops. If the shop license is not renewed before the expiration date, the renewal fee shall be ten dollars.

**SECTION 12. Section 56-471.3, 1962 Code, repealed.**—Section 56-471.3 of the 1962 Code is repealed.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R551, H1275)

**No. 333**

**An Act To Declare As The Practice Of Law The Furnishing For Compensation Of Certain Assistance In The Distribution Of A Debtor's Fund Among Creditors And To Provide A Penalty For Such Activity By One Not Licensed To Practice Law In This State.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Certain advice to debtors to constitute practice of law.**—The furnishing of advice or services for compensation to a debtor in connection with a debt pooling plan pursuant to which the debtor deposits funds for the purpose of distributing them among his creditors shall be deemed to be the practice of law.

**SECTION 2. Penalties.**—Any person, other than one licensed to practice law in this State, who furnishes or offers to furnish such advice or services for compensation shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of five hundred dollars.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R553, H1335)

**No. 334**

**An Act To Amend Article 2, Chapter 2, Title 37 Of The 1962 Code, Relating To The Prevention And Investigation Of Fires By The Department Of Insurance, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Article 2, Chapter 2, Title 37, 1962 Code, amended—prevention and investigation of fires.**—Article 2, Chapter 2, Title 37 of the 1962 Code is amended to read as follows :

**“ARTICLE 2**

Section 37-80. The Chief Insurance Commissioner shall be State Fire Marshal, ex officio. He shall receive no additional compensation on account of his service as State Fire Marshal.

(a) The State Fire Marshal may appoint a Chief Deputy Fire Marshal and such additional deputy state fire marshals as may appear to him to be necessary for the proper discharge of his duties.

(b) The chief of any organized fire department shall be ex officio Resident Fire Marshal ; however, this article shall not repeal, amend or otherwise affect Chapter 11 of Title 47, nor Chapter 15 of Title 37.

(c) All powers and duties vested in the State Fire Marshal may be exercised or discharged by any deputy state fire marshal, or resident fire marshal within the area of his service, acting under the authority of the State Fire Marshal.

Section 37-81. It shall be the duty of the State Fire Marshal to enforce all laws and ordinances of the State, and the several counties, cities, and political subdivisions thereof, with reference to the following :

- (a) The prevention of fires ;
- (b) The storage, sale and use of combustibles and explosives ;
- (c) The installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment ;

- (d) The construction, maintenance and regulation of fire escapes;
- (e) The means and adequacy of exits, in case of fire, from factories, asylums, hospitals, churches, schools, halls, theaters, ampitheaters and all other places in which numbers of persons work, live or congregate from time to time for any purpose;
- (f) Investigation of the cause, origin and circumstance of fire.

Section 37-82. (a) The State Fire Marshal shall have authority at all times of the day or night, in the performance of duties imposed by this article, to enter upon and examine any building or premises where any fire has occurred and other buildings or premises adjoining.

(b) The State Fire Marshal shall have authority at any reasonable hour to enter into any public building or premises or any building or premises used for public purposes to inspect for fire hazards.

Section 37-82.1. The State Fire Marshal shall require conformance with minimum fire prevention and protection standards, based upon nationally recognized standards, as may be set forth by regulation issued by the State Fire Marshal for the prevention of fire and for the protection of life and property.

Section 37-82.2. Whenever the State Fire Marshal, Deputy or Resident Fire Marshal shall find, pursuant to examination as provided in Section 37-82 of this article, any building or other structure which, for any cause, is especially liable to fire and which is so situated as to endanger lives or other property, or is deficient in fire or life protection, an order shall issue in writing directing the defect to be removed or remedied, service of such order shall be made as provided in this article and such occupant or owner shall forthwith comply with the terms thereof. If such order is issued by any deputy or resident fire marshal, such occupant or owner may, within twenty-four hours, appeal to the State Fire Marshal, who shall, within ten days, during which time the order appealed from shall be stayed, review the order and file his decision. *Provided*, however, that any person who feels himself aggrieved by any order or affirmed order of the State Fire Marshal may, within five days after the making or affirming of such order, appeal to the circuit court in the county in which the property is located for review of such order and it shall be heard at the first convenient day. In the event a final order entered pursuant to this article is not complied with within a period of thirty days from date of service of such final order then the State Fire Marshal shall cause the hazard to be remedied by repair or demolition, and all offensive materials and dangerous conditions removed, at the joint and several

expense of the occupant or owner of such building or premises. An itemized statement of costs and expenses shall be furnished the occupant or owner of the premises and the statement shall be satisfied within a period of thirty days, failing which, upon ten days further notice the State Fire Marshal may assess such costs and expenses. Any party aggrieved by an assessment order may appeal to the circuit court of the county wherein such property is located within a period of ten days from service of such order of assessment. Failing appeal, the order of assessment herein provided shall be filed with the clerk of court of the county wherein such property is located and shall be satisfied by execution and levy as a final judgment duly entered.

Section 37-82.3. The service of any order or penalty assessment as provided in this article shall be made by either delivering a true copy to the occupant or owner personally, or by registered or certified mail directed to the last known address of such parties, and, in case of service by mail, affixing a copy thereof in a conspicuous place on the door to the entrance of the premises.

Section 37-82.4. In the conduct of any investigation into the cause, origin, or loss resulting from any fire, the State Fire Marshal shall have the same power and rights relative to securing the attendance of witnesses and the taking of testimony under oath as is conferred upon the Chief Insurance Commissioner under Section 37-41. False swearing by any such witness shall be deemed to be perjury and shall be subject to punishment as such.

Section 37-82.5. If, as the result of any such investigation or because of any information received by him, the State Fire Marshal is of the opinion that a fire is the result of the act of an incendiary the matter shall be brought to the attention of the local law enforcement officers having jurisdiction of the matter.

Section 37-82.6. The State Fire Marshal shall keep on file in his office all reports of fires made to him or to the Chief Insurance Commissioner pursuant to this article. Such records shall at all times during business hours be open to public inspection; except, that any testimony taken in a fire investigation may, in the discretion of the State Fire Marshal, be withheld from public scrutiny. The State Fire Marshal may destroy any such report after three years from its date.

Section 37-82.7. The State Fire Marshal shall see that the provisions of this article are faithfully executed, and to that end he may make rules and regulations to carry out the provisions of this article.

Section 37-82.8. The State Fire Marshal may from time to time disseminate within this State information concerning the causes, prevention and reduction of damage from fire.

Section 37-82.9. The State Fire Marshal shall submit annually as of the first day of January a report to the Governor.

Section 37-82.10. All forms, blanks, circulars, posters and such reports as may be required pursuant to the provisions of this article shall be furnished at the expense of the State."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R554, H1337)

**No. 335**

**An Act To Provide For Retention By Oil Companies Of A Portion Of The Five Cent Gasoline Tax To Defray The Administrative Costs Of Remitting Such Tax.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Oil companies may retain portion of certain tax.**—For the purpose of defraying the attendant administrative costs, any oil company filing a timely monthly return and tax remittance as required by Section 65-1069 of the 1962 Code may deduct from the tax so remitted two per cent of the first seventy-five hundred dollars of tax liability; *provided*, that the two per cent shall apply only to the five cent per gallon tax referred to in Section 65-1074 of the 1962 Code and shall not apply to the one cent per gallon tax which is distributed to the counties nor to the one cent per gallon tax levied by Section 65-1062.1; *provided*, further, that the total deduction may not exceed one hundred fifty dollars. In no event shall the deduction by any oil company exceed the sum of seventy-five dollars in any calendar month.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R555, H1344)

**No. 336**

**An Act To Amend Sections 21-2354, 21-2357, 21-2402 Of The 1962 Code And Act 769 Of The Acts Of 1962, Relating To The County Board Of Education And The Board Of School Trustees For Dillon County, So As To Change The Composition Of The Board Of Education And The Board Of Trustees, And To Repeal Section 21-2403 Of The 1962 Code, Relating To Trustees Representing More Than One School District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-2354, 1962 Code, amended—Dillon County Board of Education—composition of.**—Section 21-2354 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 21-2354. The County Board of Education of Dillon County shall be composed of seven members, all of whom shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation from Dillon County, including the Senator. One member shall be appointed from each of the three high school districts in the county for a term of three years, one member shall be appointed from each of the three high school districts in the county for a term of two years and one member shall be appointed from Dillon District No. 2 for a term of one year. Thereafter the term of office of the members shall be for a period of three years from the date of the appointment and until their successors have been duly appointed and qualified. In case of a vacancy for any cause it shall be the duty of the Governor to fill the vacancy for the unexpired term upon the recommendation of a majority of the county legislative delegation, including the Senator. The appointees shall take office thirty days after receiving their appointments.”

**SECTION 2. Section 21-2357, 1962 Code, amended—duties and compensation.**—Section 21-2357 of the 1962 Code is amended by adding at the end thereof the following: “The board shall appoint from its membership a member to supervise transportation, a member to supervise books for use by public schools, a member to supervise teachers, and a member to supervise the school lunch program. The superintendents of each of the high school districts shall receive such compensation as is provided in the county appropriation act.”, so that when amended the section shall read as follows:

"Section 21-2357. The board shall keep a strict supervision of all school supplies and shall see that all equipment is kept in proper condition and protected from abuses. The board shall appoint from its membership a member to supervise transportation, a member to supervise books for use by public schools, a member to supervise teachers, and a member to supervise the school lunch program. The superintendents of each of the high school districts shall receive such compensation as is provided in the county appropriation act."

**SECTION 3. Section 21-2402, 1962 Code, amended—trustees of centralized school district—election of.**—Section 21-2402 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-2402. The board of trustees of the centralized school district established under this article shall be composed of eleven members to be elected for terms of two years. All candidates shall be qualified electors and shall have been a legal resident of the election area for at least two years prior to the election. The first election shall be held on the second Tuesday in February, 1964, and thereafter on the second Tuesday of each even numbered year. Three of the trustees shall reside in Lake View District No. 1, five of the trustees shall reside in Dillon District No. 2; provided, that three of the trustees shall reside in the City of Dillon, and three of the trustees shall reside in Latta District No. 3. The trustees so elected shall assume office thirty days after the date of election. At any election the candidate receiving the highest number of votes cast shall be declared elected. The trustees may appoint an additional member from each school within their district who shall act in an advisory capacity only to a district board of trustees. To qualify as a candidate in any election to be held for school trustees, each candidate shall file with the county superintendent of education a sworn statement giving his name, age, voting precinct, election area in which such candidate resides and the period of residence in such election area. This statement shall be filed at least fifteen days prior to the date set for such election. The Dillon County Commissioners of Election shall conduct and supervise all elections for members of the board for each school district. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts and do all things necessary to carry out such election, including the counting of ballots and declaring the results

thereof. The commissioners shall advertise the date of such elections at least once each week for two successive weeks preceding the election in all daily newspapers of general circulation published in Dillon County. The trustees shall meet once a month at such time and in such place as to the majority of the members seems most desirable. Trustees in attendance at such meetings shall be paid ten dollars per meeting to be provided for out of the county appropriation. The board of trustees of each of the centralized school districts is hereby vested with the power to do all acts necessary to the establishment, maintenance and operation of the schools within the district."

**SECTION 4. Section 1 of Act 769 of 1962 amended—bonding of trustees.**—Section 1 of Act 769 of 1962 is amended by striking on line 5 the word "one" and inserting in lieu thereof the word "two", so that when amended the section shall read as follows:

"Section 1. Each school district trustee in Dillon County shall, as a condition precedent to his appointment to or continuance in such office, furnish a bond conditioned upon his limiting the expenditures of his district to the funds allocated therefor. The bonds shall be made payable in favor of the county, shall be in the amount of two thousand dollars, and the premiums therefor shall be paid by the county."

**SECTION 5. Section 21-2403, 1962 Code, repealed.**—Section 21-2403 of the 1962 Code is repealed.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R556, H1410)

**No. 337**

**An Act To Change The Open Season For The Hunting Of Rabbits In Game Zone 3.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Rabbit season for Game Zone 3.**—The open season for the hunting of rabbits in Game Zone 3 shall be from Thanksgiving Day to February fifteenth, inclusive, *provided*, that between

September fifteenth and Thanksgiving Day rabbits may be hunted without firearms.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R557, H1411)

**No. 338**

**An Act To Change The Open Season For The Hunting Of Squirrels In Game Zone 3.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Squirrel season for Game Zone 3.**—The open season for the hunting of squirrels in Game Zone 3 shall be from Thanksgiving Day to February fifteenth, inclusive, *provided*, that between September fifteenth and Thanksgiving Day squirrels may be hunted without dogs.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R558, H1363)

**No. 339**

**An Act To Amend Sections 37-181, 37-182 And 37-183 Of The 1962 Code, Relating To The Capital And Surplus Required Of Insurance Companies, So As To Establish Requirements Related To Kinds Of Business Done.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 37-181, 1962 Code, amended—capital and surplus required of stock companies.**—Section 37-181 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

“Section 37-181. (a) Before licensing any stock insurance company to transact business in this State the Chief Insurance Commissioner shall require such company to be possessed of capital which

must be maintained at all times, and unassigned surplus twenty-five per cent of which must be maintained at all times, in amounts not less than the following:

| <i>If Licensed to Write</i>     | <i>Capital</i> | <i>Surplus</i> |
|---------------------------------|----------------|----------------|
| Life .....                      | \$100,000      | \$100,000      |
| Accident and Health .....       | 100,000        | 100,000        |
| Life, Accident and Health ..... | 200,000        | 200,000        |
| Property .....                  | 200,000        | 200,000        |
| Casualty .....                  | 200,000        | 200,000        |
| Surety .....                    | 200,000        | 200,000        |
| Marine .....                    | 200,000        | 200,000        |
| Title .....                     | 100,000        | 100,000        |
| Multiple Lines .....            | 250,000        | 250,000        |

(b) If at any time the unassigned surplus of a stock insurance company is less than twenty-five per cent of the surplus initially required, as set forth in Subsection (a) of this section, such company shall be deemed delinquent and delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962.

(c) If at any time the capital of a stock insurance company is impaired to any extent such company shall be delinquent and the Chief Insurance Commissioner shall commence delinquency proceedings."

**SECTION 2. Section 37-182, 1962 Code, amended—surplus required of mutual companies.**—Section 37-182 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following: "Section 37-182. (a) Before licensing any mutual insurance company to transact business in this State the Chief Insurance Commissioner shall require such company to be possessed of an unassigned surplus of not less than the following amounts:

| <i>If Licensed to Write</i>     | <i>Surplus which must be possessed at<br/>time of licensing</i> |
|---------------------------------|---|
| Life .....                      | \$200,000   |
| Accident and Health .....       | 200,000   |
| Life, Accident and Health ..... | 400,000   |
| Property .....                  | 400,000   |
| Casualty .....                  | 400,000   |
| Surety .....                    | 400,000   |
| Marine .....                    | 400,000   |
| Title .....                     | 200,000   |
| Multiple Lines .....            | 500,000   |

(b) If at any time the unassigned surplus of a licensed mutual insurance company is less than the sum of the capital and minimum surplus required to be maintained by a stock company licensed to write the same kind or kinds of business, such mutual insurance company shall be deemed delinquent and delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962.

(c) If at any time the unassigned surplus of a licensed mutual insurance company is less than the minimum capital required to be possessed by a stock company licensed to write the same kind or kinds of business, such mutual insurance company shall be delinquent and the Chief Insurance Commissioner shall commence delinquency proceedings."

**SECTION 3. Section 37-183, 1962 Code, amended—exceptions for certain companies.**—Section 37-183 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 37-183. The provisions of Sections 37-181 and 37-182 shall not apply to any company that is licensed to do business in this State on the date this act is approved if such company continues to remain licensed in this State and continues to maintain at least the following minimum capital and surplus amounts, if a stock company, or minimum surplus, if a mutual company;

(a) Any domestic or foreign stock company, if possessed of capital and surplus amounts on December 31, 1962, that were in compliance with the law at that time, but which are less than the minimums required to be maintained by Section 37-181, must maintain not less than the amount of capital stated in its 1962 annual statement filed with the Chief Insurance Commissioner pursuant to Section 37-293, and in addition must maintain an unassigned surplus of not less than twenty-five per cent of such amount of capital. If at any time the unassigned surplus of such company shall be reduced to an amount that is less than twenty-five per cent of such minimum amount of required capital, such company shall be deemed delinquent and delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962. If at any time the minimum capital required to be maintained by this section by such company should become impaired to any extent, such company shall be delinquent and the Chief Insurance Commissioner shall commence delinquency proceedings. If at any time the capital should be increased to an amount greater than the amount possessed at December 31,

1962, the amount of unassigned surplus that must be maintained thereafter shall be twenty-five per cent of such greater amount of capital, and if such amount is not maintained, delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962. Such increased amount of capital shall not thereafter be reduced to an amount less than the amount required by Section 37-181 and if it should be reduced or should become impaired to any extent, such company shall be delinquent and the Chief Insurance Commissioner shall commence delinquency proceedings.

(b) Any domestic or foreign mutual company, if possessed of unassigned surplus on December 31, 1962, that was in compliance with the law at that time but is less than the minimum required to be maintained by Section 37-182, must maintain not less than the amount of unassigned surplus stated in its 1962 annual statement filed with the Chief Insurance Commissioner pursuant to Section 37-293. If at any time the surplus of such company should be reduced to an amount that is less than eighty per cent of the amount shown in its 1962 annual statement, such company shall be deemed delinquent and delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962. If at any time the surplus of such company should be increased to an amount greater than the amount possessed at December 31, 1962, eighty per cent of such greater amount of unassigned surplus, or the minimum amount required to be maintained by Section 37-182, whichever amount is the lesser, must be maintained thereafter, and if it is not so maintained, such company shall be deemed delinquent and delinquency proceedings may be commenced by the Chief Insurance Commissioner as provided by Act No. 852 of 1962.

(c) Any company that fails to meet the minimum capital and surplus requirements of Section 37-181, if a stock company, or Section 37-182, if a mutual company, but which continues to remain licensed by virtue of the provisions of this section, must confine its business to the kinds of insurance for which it was licensed on December 31, 1962. If at any time any such company desires to write additional kinds of insurance, it must comply with the capital and surplus requirements of Section 37-181 or Section 37-182, as applicable.

(d) Following verification by the Chief Insurance Commissioner of the accuracy of all annual statements filed for the year 1962 by all insurance companies licensed to do business in the State on the date

this act is approved, the Chief Insurance Commissioner shall notify each licensed company that does not comply with Section 37-181 or Section 37-182 of the amounts of capital and surplus, if a stock company, or the amount of surplus, if a mutual company, such company must maintain in order to continue to remain licensed in this State. A schedule of such amounts required to be maintained by each company so notified shall be published annually in all succeeding annual reports of the Insurance Commission that the Chief Insurance Commissioner shall submit to the General Assembly through the Governor, as required by Section 37-57. Such schedule shall be revised annually as to those companies whose minimum capital and surplus requirements shall be increased periodically as required by this section.

(e) This section shall not be construed as a limitation of any authority conferred elsewhere by this Title upon the Chief Insurance Commissioner to deny a license to, or to revoke or suspend the license of, any company applying for a license or licensed to do business in this State."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R559, H1360)

**No. 340**

**An Act To Amend Sections 65-223.1, 65-259, 65-275, 65-453, 65-455, 65-465, 65-481 And 65-547 Of The 1962 Code, Relating To Income And Estate Taxes, So As To Adopt Amendments And Applicable Regulations As Of December 31, 1962, Relating To Federal Internal Revenue Code Sections Adopted By Reference In These Code Sections.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Date changed in certain code sections.**—Sections 65-223.1, 65-453, 65-455, 65-465, 65-481 and 65-547 of the 1962 Code are amended by striking the date "May 23 1961" in each of these sections, and inserting in lieu thereof the date "December 31 1962".

**SECTION 2. Item (8) of Section 65-259, 1962 Code, amended—allowance for depreciation and obsolescence.**—Item (8) of Sec-

tion 65-259 of the 1962 Code is amended by striking the following, commencing on line 17: "Section 167, subsections (a), (b) and (c)" and inserting in lieu thereof "Sections 167 and 179", and by striking the date "1959" at the end thereof and inserting in lieu thereof the date "1962". The item when amended shall read as follows:

"(8) A reasonable allowance for the depreciation and obsolescence of property used in the trade or business or held for investment and, in the case of mines and other natural deposits, a reasonable allowance for depletion, the basis for computing such allowances to be the same as the basis upon acquisition for determining gain or loss plus the cost of any additions and improvements since acquisition, including, in the case of mines and other natural deposits, the cost of development not otherwise deducted, less retirements or recoveries of cost, and in the case of leases the depletion allowance to be equitably apportioned between the lessor and the lessee. *Provided*, that notwithstanding any other provisions of this section, the amount allowed as a deduction for depletion in the case of mines, oil and gas wells and other natural deposits shall be the same depletion as now allowed under Federal Internal Revenue Code, Sections 611, 612 and 613 and applicable regulations. *Provided, further*, that notwithstanding any other provisions of this section, the amount allowed as a deduction for depreciation and obsolescence shall be the same depreciation as now allowed under Federal Internal Revenue Code, Sections 167 and 179 and applicable regulations. *Provided, further*, that this item (8) shall not be affected by amendments to the Federal Internal Revenue Code which may be enacted for taxable years beginning after December 31 1962."

**SECTION 3. Section 65-275, 1962 Code, amended — date changed.**—Section 65-275 of the 1962 Code is amended by striking the date "1959" at the end thereof and inserting in lieu thereof the date "1962".

**SECTION 4. Time effective.**—This act, upon approval by the Governor, shall be effective for taxable years beginning after December 31 1962.

Approved the 14th day of June, 1963.

(R560, H1492)

## No. 341

**An Act To Amend Sections 14-1162 And 14-1163 Of The 1962 Code, Relating To The Number, Qualifications And Terms Of Office Of Members Of The Charleston County Council So As To Increase The Number Of Members From Eight To Nine; To Provide For The Area From Which The Additional Member Shall Be Elected; To Set His Term Of Office And That Of The Last Member Previously Added.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-1162, 1962 Code, amended—county council—members—elections.**—Section 14-1162 of the 1962 Code is amended by changing the word “eight” on line 3 to the word “nine” and by inserting between the “period” and the word “Two” on line 14 the following :

“One member shall be a resident of either the area of the county included in St. Phillip’s and St. Michael’s Public Service District as constituted on March 16, 1956 or from that area comprising the remainder of the county lying between the Ashley and Cooper Rivers and shall be elected by the qualified electors residing in these two areas.” So that when so amended the section shall read as follows :

“Section 14-1162. The duties, powers, functions and authority of such municipal government shall be vested in a county council. The county council shall be composed of nine members. One member shall be a resident of the area of the county lying east of the Cooper River and shall be elected by the qualified electors residing in that area of the county. Three members shall be residents of the area of the county included in the city of Charleston, and shall be elected by the qualified electors residing in that area of the county. One member shall be a resident of the area of the county included in St. Philip’s and St. Michael’s Public Service District as constituted on March 16, 1956, and shall be elected by the qualified electors residing in that area of the county. One member shall be a resident of the remainder of the county lying between the Ashley and the Cooper Rivers and shall be elected by the qualified electors residing in that area of the county. One member shall be a resident of either the area of the county included in St. Phillip’s and St. Michael’s Public Service District as constituted on March 16, 1956, or from that area comprising the remainder of the county lying

between the Ashley and Cooper Rivers and shall be elected by the qualified electors residing in these two areas. Two members shall be residents of the area of the county lying west of the Ashley River lying outside the corporate limits of the city of Charleston, and shall be elected by the qualified electors residing in that area of the county. Any council member who shall remove his residence from the area which he represents shall immediately forfeit and vacate his seat on the council and his place shall be filled as provided by law; *provided*, that should an area of the county merge with the city of Charleston, any council member residing in such merged area may continue to serve until the expiration of the term for which he was elected."

**SECTION 2. Section 14-1163, 1962 Code, amended—terms and vacancies.**—Section 14-1163 of the 1962 Code is amended by inserting between "election." and "Thereafter" on line 10 the following: "The term of office of the member last added and residing in that area of the county lying west of the Ashley River outside the corporate limits of the city of Charleston shall expire in 1966. The additional member provided for in Section 14-1162 from either the area of the county included in St. Phillip's and St. Michael's Public Service District as constituted on March 16, 1956 or from that area comprising the remainder of the county lying between the Ashley and Cooper Rivers, shall be elected in the general election in 1964 for a term of four years." so that when so amended the section shall read as follows:

"Section 14-1163. Of seven members of the county council first elected, four shall serve terms of two years and three shall serve terms of four years, the selection of members to serve the initial terms of two and four years having been determined by lot at the first regular meeting of the county council. Of the two members elected from the area of the county lying west of the Ashley River at the general election in 1956, one shall serve for a term of two years, and one for a term of four years, the selection as to which of such members shall serve the respective terms having been determined by lot at the first regular meeting of the county council following such election. The term of office of the member last added and residing in that area of the county lying west of the Ashley River outside the corporate limits of the city of Charleston shall expire in 1966. The additional member provided for in Section

14-1162 from either the area of the county included in St. Phillip's and St. Michael's Public Service District as constituted on March 16, 1956 or from the area comprising the remainder of the county lying between the Ashley and Cooper Rivers, shall be elected in the general election in 1964 for a term of four years. Thereafter, the term of office of each elected member of the council shall be for a period of four years. Each vacancy occurring by reason of the expiration of such term of office shall be filled by election in the general election next preceding the expiration date of that term of office. In the event of a vacancy on the county council occurring by reason of death, resignation or removal the vacancy shall be filled for the remainder of the unexpired term by appointment by the Governor on the recommendation of a majority of the legislative delegation for the county."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R563, H1836)

**No. 342**

**An Act To Provide For The Election Of School Trustees For Lancaster County, And To Repeal Sections 21-3208 And 21-3209 Of The 1962 Code, Relating To The Selection, Election And Appointment Of School Trustees For Lancaster County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Lancaster County—election of school trustees.**—The Lancaster County Board of Education shall cause an election to be held at the same time as the June primary held each even-numbered year for the purpose of electing school trustees. Any person desiring to become a candidate shall indicate his intention by filing a statement with the board at least fifteen days prior to the time fixed for the election. The terms of office of the present board shall expire June 30, 1964. The terms of office for those elected in June, 1964, shall be for two years commencing July 1, 1964. Any vacancy may be filled by appointment for the unexpired term by the county board of education.

The qualified electors of the several districts shall vote for the candidates of their respective districts.

Seven of the members of the board shall come from that area formerly designated as Lancaster High School District; five members shall come from that area formerly designated as Indian Land High School District; five members shall come from that area formerly designated as Buford High School District; five members shall come from that area formerly designated as Heath Springs High School District; five members shall come from that area formerly designated as Flat Creek High School District; and of those members from that area formerly designated as Kershaw High School District, three members shall be elected on the Lancaster County side and the remaining two members shall come from the Kershaw County side and shall be designated by whatever method the Kershaw County Legislative Delegation may select.

**SECTION 2. Sections 21-3208 and 21-3209, 1962 Code, repealed.**  
—Sections 21-3208 and 21-3209 of the 1962 Code are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R565, H1848)

**No. 343**

**An Act To Amend Section 27-69 Of The 1962 Code, Relating To Clerk Of Court Fees For Abbeville County, So As To Further Provide Therefor, And To Increase A Certain Fee Of The Abbeville County Auditor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 27-69, 1962 Code, amended—clerk of court fees for Abbeville County.**—Section 27-69 of the 1962 Code is amended to read as follows:

“Section 27-69. The filing and recording fees of the Clerk of Court of Abbeville County shall be as follows, except that if the fee for any service is not included in this section such fee shall be as provided by general law:

- |  |         |
|--|---------|
| (1) Entering on docket .....           | \$ 1.00 |
| (2) Filing summons and complaint ..... | 1.00    |

|   |      |
|---|------|
| (2A) Filing answer .....  | .50  |
| (3) Entry of report of referee .....  | 1.00 |
| (4) Entry of verdict of order .....   | 1.00 |
| (5) Copying and recording, first page .....                                     | 1.00 |
| Additional pages, each .....  | .50  |
| (6) Enrolling Judgment .....  | 2.00 |
| (7) Appointment of guardian ad litem .....                                      | 1.00 |
| (8) Making and certifying any order, first page ..                              | 2.00 |
| Additional pages, each .....  | .50  |
| (9) Appeal from magistrate court .....  | 3.00 |
| (10) Recording rights of way and easements of real<br>property .....            | 1.50 |
| Additional pages, each .....  | .50  |
| (11) Recording deeds, first page (printing on one side<br>only) .....           | 1.50 |
| Additional pages, each .....  | .50  |
| (12) Recording mortgages, first page (printing on one<br>side only) .....       | 1.50 |
| Additional pages, each .....  | .50  |
| (13) Plats: (pasted in)—copy of plat must be fur-<br>nished .....               | 1.50 |
| (14) Separate releases: for release on real estate<br>mortgage (one page) ..... | 1.00 |
| For release on deed (one page) .....  | 1.00 |
| (15) Recording chattel mortgages, over one hundred<br>dollars .....             | 1.25 |
| Recording chattel mortgage with copy .....                                      | 1.00 |
| Recording chattel mortgage, under one hundred<br>dollars .....                  | .50  |
| (16) Assignment of mortgage .....   | .50  |

"There shall be no charge for the satisfaction of chattel and real estate mortgages by the clerk of court."

**SECTION 2. Auditor's fee for recording certain papers in Abbeville County.**—Notwithstanding the provisions of Section 27-503 of the 1962 Code, for every entry and endorsement on any deed of conveyance of real property recorded in his office, the Auditor of Abbeville County shall receive a fee of fifty cents.

**SECTION 3. Time effective.**—This act shall take effect July 1, 1963.

Approved the 14th day of June, 1963.

(R566, H1856)

**No. 344**

**An Act To Provide For An Annual Budget And An Annual Recommendation For A Tax Levy By The Board Of Trustees Of The School District Of Oconee County, And To Provide For A Referendum Before Any Tax Levy Increase.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Oconee County—annual school budget—referendum concerning tax levy.**—The board of trustees of the school district of Oconee County shall annually prepare a budget and recommend to the Oconee County Auditor the amount of tax levy necessary to defray the cost of such budget. The board shall not recommend any tax levy increase without submitting the question to the people at a referendum and obtaining the approval of the people prior to such a levy. Such referendum shall be ordered by the board of trustees, and notice thereof given by publication in all of the newspapers in the county at least once a week for three consecutive weeks prior thereto. The notice shall give the date of the referendum, the question to be voted upon, and any other information which would aid the voters to understand the question being presented to them. If the recommended levy is within the limits provided, the county auditor shall levy and the treasurer collect the amount specified.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R567, H1858)

**No. 345**

**An Act To Require The Clerk Of Court Of Dillon County To Forward All Deeds Filed With His Office To The County Tax Assessor; To Require The County Tax Assessor To Record Property Transfers And To Repeal An Act Of 1963 Bearing Ratification No. R-337, Relating To The Filing Of Deeds With The Clerk Of Court Of Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Dillon County—tax assessor to record deeds.**—Any deed filed in the office of the Clerk of Court of Dillon Coun-

ty shall be forwarded by him to the county tax assessor who shall record the transfer of property by such deed on the records of his office. The county tax assessor shall attach an affidavit, in such form as he may prescribe, to each such deed that the transfer contained therein has been recorded in his office.

**SECTION 2. Penalty for failure to comply.**—The failure to comply with the provisions of Section 1 shall be cause for dismissal from office.

**SECTION 3. Act 193 of 1963 repealed.**—The Act of 1963 bearing Ratification No. R-337 is repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R568, H1860)

**No. 346**

**An Act To Amend Section 21-3673 Of The 1962 Code Relating To The Board Of Trustees Of The School District Of Oconee County, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3673, 1962 Code, amended—trustees of School District of Oconee County—election of.**—Section 21-3673 of the 1962 Code is amended to read as follows:

“Section 21-3673. The public educational system of Oconee County shall be directed and managed by the board of trustees of the School District of Oconee County. After June 30, 1963 the board shall be composed of ten members, with one each to be elected from each of the high school areas, and an additional member from the high school areas of Walhalla, Seneca and Westminster or Cleveland. The members shall be elected for terms of four years and shall hold office until their successors have been elected and qualify. The election shall be held on the fourth Tuesday in June and only the residents of each high school area shall vote for the representative of the area in which such voter resides. Any vacancy occurring on the board shall be filled for the unexpired term as now provided for filling such vacancies. There shall be elected in the year 1961 a member from Fair Play or Oakway, Keowee, Salem, Walhalla, West-

minster or Cleveland and Seneca. To fill the vacancies created by the expiration of the terms of office of these members there shall be elected a member from Fair Play or Oakway, Keowee, Salem, Walhalla, Westminster or Cleveland and Seneca. The terms of the members serving on May 23, 1961 from the areas of Cleveland, Walhalla and Westminster are hereby extended to June 30, 1963. In conducting elections under this section, polling places shall be established at all of the high schools within the school district and also at the old school building at Fair Play and at the old school building at Cleveland."

**SECTION 2. Terms of present members.**—The terms of office of the present members of the board of trustees of the school district of Oconee County who are residents of Westminster or Fair Play shall terminate June 30, 1963.

**SECTION 3. Terms of members from Westminster or Cleveland.**—Of the two trustees elected in 1963 from either Westminster or Cleveland the one receiving the highest number of votes shall serve for a term of four years and the one receiving the next highest number of votes shall serve for a term of two years.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R570, H1430)

**No. 347**

**An Act To Amend Section 28-621 Of The 1962 Code, Relating To The Season For Netting Nongame Fish In Prestwood Lake In Darlington County, So As To Provide For An Open Season For Netting Nongame Fish In Lake Robinson In Darlington County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 28-621, 1962 Code, amended—Darlington County—season for netting nongame fish in Prestwood Lake and Lake Robinson.**—Section 28-621 of the 1962 Code is amended by adding between the words "Lake" and "in" on line 3 the words "and Lake Robinson". The section when amended shall read as follows:

"Section 28-621. There shall be an open season from November fifteenth to March fifteenth of each year for the netting of nongame fish in Prestwood Lake in Darlington County and from November fifteenth to February fifteenth in Lake Robinson in Darlington County."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R572, H1489)

**No. 348**

**An Act To Amend Section 8-8 Of The 1962 Code, Relating To Usury Not Available To Certain Corporations, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 8-8, 1962 Code, amended—usury not available to certain corporations.**—Section 8-8 of the 1962 Code is amended by striking on lines 3 and 4 "as shown in its last annual report as filed with the South Carolina Tax Commission, pursuant to Sections 65-601 to 65-616" and inserting in lieu "of par value, or stated value in the case of capital stock without par value" and by adding at the end thereof the following: "*Provided*, that the amount of issued capital stock as shown in the latest annual report of such corporation filed with the South Carolina Tax Commission, pursuant to Act No. 874 of 1962, or, in the case of a foreign corporation which does not file such reports in South Carolina, as shown in the latest annual franchise tax or similar report filed by such foreign corporation with the appropriate authority of its state of incorporation, shall be conclusive evidence against such corporation as to the amount of issued capital stock for the purposes of this Section." so that when so amended the Section shall read as follows:

"Section 8-8. No corporation lawfully organized to engage in business for profit and having an issued capital stock of forty thousand dollars or more of par value, or stated value in the case of capital stock without par value, shall by way of defense or otherwise avail itself of any of the provisions of Sections 8-2, 8-3, 8-5, 8-7 or 8-9, to avoid or defeat the payment of any interest, discount or charges

which it has agreed upon, allowed or contracted to pay in respect of any obligation for money borrowed, nor shall the lender be subject to Section 8-9, where the loan is to a corporation. *Provided*, that the amount of issued capital stock as shown in the latest annual report of such corporation filed with the South Carolina Tax Commission, pursuant to Act No. 874 of 1962, or, in the case of a foreign corporation which does not file such reports in South Carolina, as shown in the latest annual franchise tax or similar report filed by such foreign corporation with the appropriate authority of its state of incorporation, shall be conclusive evidence against such corporation as to the amount of issued capital stock for the purposes of this Section."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R573, H1516)

**No. 349**

**An Act Requiring The South Carolina Wildlife Resources Department To Issue "Sets" For The Catching Of Shad On The Savannah River.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. "Sets" to be issued for catching shad on Savannah River.**—The South Carolina Wildlife Resources Department shall issue "sets" for the catching of shad on the South Carolina side of the Savannah River.

The term "sets" means points on the banks of the river at which fishermen shall have the exclusive right to place nets.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R574, H1587)

**No. 350**

**An Act To Add Section 56-738.1 To The 1962 Code, So As To Authorize The State Board Of Engineering Examiners To Obtain Injunctions To Assist In Carrying Out Its Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Code of 1962 amended—Section 56-738.1 added—Board may obtain injunctions.**—The 1962 Code is amended by adding a new section to be designated as Section 56-738.1, which shall read as follows:

“Section 56-738.1. To enforce the provisions of this Chapter, or to restrain any violation thereof, the Board may apply in the name of the State for an injunction as provided generally in civil cases. *Provided*, that in such proceedings: (a) it shall not be necessary to establish the absence of an adequate remedy at law; (b) the Board members shall not be personally liable for damages resulting from a wrongful injunction; and (c) the initial order of injunction shall include a rule to show cause and shall be temporary pending the return to the rule.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R575, H1620)

**No. 351**

**An Act To Amend Section 28-815 Of The 1962 Code Relating To Review Of Contested Leases Of Oyster Bottoms By The South Carolina Wildlife Resources Commission, So As To Provide For Appeal Therefrom To The Court Of Common Pleas Of The County Wherein The Bottoms Are Situate.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 28-815, 1962 Code, amended — hearings and appeals.**—Section 28-815 of the 1962 Code is amended by striking the period at the end thereof and adding the following: “in the county wherein the bottoms are situate.” The section when amended shall read as follows:

“Section 28-815. Should any person appear in person or by attorney or by filing objections in writing on or before such date and object to the leasing of the whole or any portion of the bottoms applied for upon any lawful or sufficient ground, then the Commission may proceed to a hearing thereof as in a case at law under the regular rules

of evidence. Should an application be made by a person who was the holder of the lease on such bottoms for the term immediately preceding the term for which application is made, preference shall be given to that applicant. The decision of the Commission shall be subject to appeal as from a magistrate's court in the county wherein the bottoms are situate."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R576, H1678)

**No. 352**

**An Act To Provide The Method Of Determining The Stated Capital Of State Chartered Savings And Loan Associations Or Building And Loan Associations And To Provide That Increases Or Decreases Of Stated Capital Need Not Be Reported To Or Taxed By The Secretary Of State.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Stated capital of building and loan associations.**—Notwithstanding any provision of any other statute, the stated capital of any savings and loan association or any building and loan association heretofore or hereafter chartered by this State shall not be limited to the amount stated in its articles of incorporation or any amendment thereof, but its stated capital shall be increased or decreased automatically so that at all times it shall equal the aggregate of payments on shares of stock, either fully paid or installment accounts, plus dividends credited to such accounts, less redemptions and withdrawals.

**SECTION 2. Increases or decreases not to be reported or taxed.**—No savings and loan association or building and loan association shall be required to file with the Secretary of State any amendment or statement reflecting the automatic increase or decrease of its stated capital as permitted by Section 1 of this act, nor shall any fees or taxes be collected by the Secretary of State upon such increases or decreases.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R578, H1697)

## No. 353

**An Act To Amend Section 46-156 Of The 1962 Code, Relating To Students Instruction Permits, So As Not To Require Permits For Persons Enrolled In Driver Training Schools.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 46-156, 1962 Code, amended — instruction permits for students taking driver education — exceptions.**—Section 46-156 of the 1962 Code is amended by striking on lines 3, 4 and 5 the following: “or enrolled in driver training courses of driver training schools duly licensed under Chapter 5 of this Title”, and by adding at the end thereof the following proviso: “*Provided*, however, that any person enrolled in a driver training course of a driver training school licensed under Chapter 5 of this Title shall not be required to have an instruction permit. Such trainee shall at all times be accompanied by an instructor occupying a seat beside the permittee and holding a driver training school instructor’s permit issued by the Department and in an automobile of the licensed school which automobile shall be covered by liability insurance in at least the amount as is prescribed by law.” The section when amended shall read as follows:

“Section 46-156. The Department upon receiving proper application may in its discretion issue to students regularly enrolled in standard high school driver education courses instruction permits effective for the duration of the course, even though the applicant has not reached the legal age to be eligible for a driver’s license. Such instruction permit shall entitle the permittee when he has such permit in his immediate possession to operate a motor vehicle only on a designated highway or within a designated area, but only when an approved instructor for such course is occupying a seat beside the permittee. No fee shall be charged for instruction permits. *Provided*, however, that any person enrolled in a driver training course of a driver training school licensed under Chapter 5 of this Title shall not be required to have an instruction permit. Such trainee shall at all times be accompanied by an instructor occupying a seat beside the permittee and holding a driver training school instructor’s permit issued by the Department and in an automobile of the licensed school which automobile shall be covered by liability insurance in at least the amount as is prescribed by law.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R583, H1761)

**No. 354**

**An Act To Correct An Error In Subparagraph (d) Of Section 22-24, Code Of Laws Of South Carolina, 1962, By Redefining State Institution Bonds Which May Be Refunded Pursuant To The Section.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Subparagraph (d) of first paragraph of Section 22-24, 1962 Code, amended—state institution bonds which may be refunded.**—The first paragraph of Section 22-24, Code of Laws of South Carolina, 1962, is amended by striking out subparagraph (d) and inserting in lieu thereof the following which shall be subparagraph (d) :

“(d) to refund State Institution Bonds heretofore issued for such institutions and which shall on such occasion be outstanding. Such application shall contain:”, so that when amended the first paragraph of Section 22-24 shall read as follows :

“The respective boards of trustees of such State institutions may make application to the State Board for funds to be used for any one or more of the following purposes: (a) To construct, reconstruct, maintain, improve, furnish and refurnish the buildings and other permanent improvements for such State institutions, (b) to defray the cost of acquiring or improving land needed as sites for such improvements or for the campus of any such State institution, (c) to reimburse such institution for expenses incurred in anticipation of the issuance of such bonds, or (d) to refund State Institution Bonds heretofore issued for such institutions and which shall on such occasion be outstanding. Such application shall contain:”

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R586, H1791)

## No. 355

**An Act To Amend Article 29 Of Chapter 25 Of The 1962 Code Relating To Assessment Of Property Taxes In Richland County, So As To Make The Provisions Thereof Applicable To All Taxable Property Within The County; To Increase The Membership Of The Richland County Board Of Assessment Control; To Provide For The Announcement Of Assessments; To Preserve The Right Of Appeal To The South Carolina Tax Commission And To Repeal Section 65-3645 Of The 1962 Code Relating To The Boards Of Tax Assessors For Areas Outside School District No. 1 In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-3645.1, 1962 Code, amended—Richland County to have Tax Assessor.**—Section 65-3645.1 of the 1962 Code is amended to read as follows:

“Section 65-3645.1. There shall be a Tax Assessor for Richland County, who shall be employed by the Richland County Board of Assessment Control. The tax assessor shall receive such compensation as the Richland County Board of Assessment Control shall determine or as shall be appropriated each year in the County Supply Act. The tax assessor shall select such other personnel to assist him in his duties as shall be authorized by the Richland County Board of Assessment Control.”

**SECTION 2. Section 65-3645.2, 1962 Code, amended—powers and duties.**—Section 65-3645.2 of the 1962 Code is amended to read as follows:

“Section 65-3645.2. All powers, duties and privileges of the board of tax assessors, board of township assessors and chairmen of boards of assessors, so far as they relate to the assessment and valuation of property, shall be devolved upon the tax assessor, subject, however, to policies as determined by the Board of Assessment Control for Richland County.

The tax assessor shall be held responsible for the acts of his office and have authority to act in the following, subject to the direction and guidance of the board of assessment control, and shall:

(1) Carefully consider the returns and lists laid before the tax assessor by the county auditor and, if necessary, compare them with the tax returns and lists of the current and previous years;

(2) Diligently seek for and discover all property, both real and personal, not previously returned by the owners or agents thereof or not listed for taxation by the county auditor and list it for taxation in the name of the owner or person to whom it is taxable;

(3) Fairly and impartially assess the value of all property, both real and personal, and enter it upon the returns and lists furnished the tax assessor;

(4) Make such changes, by way of increase or decrease, in the valuation of any taxable property as returned by any person or as fixed by the county auditor as may in the tax assessor's judgment be necessary or proper to conform with the methods, policies, rules and regulations of the board of assessment control;

(5) From time to time, reassess any or all taxable property so as to reflect its proper valuation in the light of changed conditions; and

(6) Determine all assessments and reassessments in such a manner that the ratio of assessed value to fair market value shall be uniform throughout the county."

**SECTION 3. Section 65-3645.3, 1962 Code, amended—expenses.**

—Section 65-3645.3 of the 1962 Code is amended to read as follows: "Section 65-3645.3. The expenses of operating the office of the tax assessor attributable to School District No. 1 shall be borne one-third by the City of Columbia, one-third by the County of Richland, and one-third by School District No. 1; the remainder of such expenses shall be borne by the County of Richland."

**SECTION 4. Section 65-3645.5, 1962 Code, amended—maximum value of reassessed property.**—Section 65-3645.5 of the 1962 Code is amended to read as follows:

"Section 65-3645.5. Upon completion of the equalization and reassessment program in School Districts No. 2, 5, and 6, the total assessed value of the property therein, plus the assessed value of the property in School District No. 1, shall not exceed the total assessed value of all property in the county immediately prior to such completion by more than one per cent. This shall not prohibit the increase in total value of the reassessed property as a result of assessments added for property or improvements not heretofore taxed, for new construction, or for renovations of existing structures taking place during the reassessment period."

**SECTION 5. Section 65-3645.6, 1962 Code, amended—Richland County Board of Assessment Control created.**—Section 65-3645.6 of the 1962 Code is amended to read as follows:

“Section 65-3645.6. There is hereby created the Richland County Board of Assessment Control to be composed of nine members, to be appointed as follows: One who is a resident of School District No. 1 residing within the City of Columbia by the City Council of the City of Columbia; three who are residents of Richland County by a majority of the Richland County Legislative Delegation, including the Senator; two who are residents of School District No. 1 by the Board of Trustees of School District No. 1; one who is a resident of School District No. 2 by the Board of Trustees of School District No. 2; one who is a resident of School District No. 5 by the Board of Trustees of School District No. 5, and one who is a resident of School District No. 6 by the Board of Trustees of School District No. 6. The terms of the members of the Board of Assessment Control shall be for three years or until their successors are appointed and qualify. The members of the Board may succeed themselves. The Board shall appoint a chairman and a secretary. The Board shall establish methods and policies and make and promulgate rules and regulations for the fair and equitable assessment of all taxable property within Richland County. It shall authorize the employment of such clerical or other personnel as may, in the judgment of the Board, be found necessary for the proper and efficient administration of the provisions of this article, and shall direct all residents of Richland County who are required by law to make returns of personal property to make returns of real estate and improvements thereon when such returns are deemed necessary by the Board of Assessment Control.”

**SECTION 6. Terms of present members.**—The members of the board of assessment control appointed pursuant to Act No. 952 of the 1958 Acts, as amended, and holding office on the effective date of this act may continue to serve until the expiration of their terms.

**SECTION 7. Section 65-3645.7, 1962 Code, amended—Richland County Board of Assessment Appeals created.**—Section 65-3645.7 of the 1962 Code is amended to read as follows:

“Section 65-3645.7. There is hereby created the Richland County Board of Assessment Appeals. The powers and duties of the Richland County Board of Equalization are hereby devolved upon such Board of Assessment Appeals. The Board of Assessment Appeals

shall consist of seven members to be appointed as follows: One by the City Council of the City of Columbia, who shall reside within the corporate limits of Columbia; two by a majority of the Richland County Legislative Delegation, including the Senator; one by the Board of Trustees of School District No. 1 of Richland County, who shall be a resident of School District No. 1; one by the Board of Trustees of School District No. 2 of Richland County, who shall be a resident of School District No. 2; one by the Board of Trustees of School District No. 5 of Richland County, who shall be a resident of School District No. 5; and one by the Board of Trustees of School District No. 6 of Richland County, who shall be a resident of School District No. 6. One of the members appointed by the Richland County Legislative Delegation shall be a person actively engaged in the real estate business. The Board shall appoint a chairman and a secretary. The terms of the members of the Board of Assessment Appeals shall be for three years or until their successors are appointed and qualify, except that of the members of the Board first appointed, the one appointed by School District No. 1 and the one appointed by the City of Columbia shall serve for terms of one year, the one appointed by School District No. 2, the one appointed by School District No. 5 and the one appointed by School District No. 6 shall serve for terms of two years, and the two appointed by the Richland County Legislative Delegation shall serve for terms of three years, or until their successors are appointed and qualify. The Board shall meet whenever necessary but shall meet on the first Tuesday in each month to act on appeals from the assessments of the tax assessor. The Board members shall be paid on a per diem basis at a figure to be determined by the Richland County Appropriations Act."

**SECTION 8. Code of 1962 amended—Section 65-3645.9 added—appeals.**—The 1962 Code is amended by adding a new section to be known as Section 65-3645.9 which shall read as follows:

"Section 65-3645.9. The right is preserved to any property owner and taxpayer to appeal from the decision of the Richland County Board of Assessment Appeals to the South Carolina Tax Commission for such relief as may be available to him under the general law of South Carolina."

**SECTION 9. Saving clause.**—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

**SECTION 10. Section 65-3645, 1962 Code, repealed.**—Section 65-3645 of the 1962 Code and all other acts or parts of acts inconsistent herewith are repealed.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R587, H1821)

**No. 356**

**An Act To Exempt From Taxation Certain Property In Lexington County Of The Most Reverend Francis F. Reh, the Bishop Of Charleston, A Corporation Sole.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Lexington County — certain property exempt from taxes.**—The property in Lexington County of The Most Reverend Francis F. Reh, The Bishop of Charleston, a corporation sole, is exempt from all county and school taxes for five years, provided a building costing at least twenty-five thousand dollars is constructed on this property within five years. If no such building is constructed within such time the taxes for this period shall be paid. This property contains 15.7 acres, a description of which can be found in the office of the Clerk of Court of Lexington County in Deed Book 10-M at page 506.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R588, H1822)

**No. 357**

**An Act To Amend Sections 15-1301.4, 15-1301.15, 15-1301.26 And 15-1301.28 Of The 1962 Code, Relating To Juvenile And Domestic Relations Court Of Lancaster County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1301.4, 1962 Code, amended—deputy sheriff not to be probation officer.**—Section 15-1301.4 of the 1962 Code is amended by deleting the last sentence of the section.

**SECTION 2. Section 15-1301.15, 1962 Code, amended—preliminary investigation.**—Section 15-1301.15 of the 1962 Code is amended by adding the following at the end of the first sentence of the last paragraph: “when in his discretion such investigation is necessary.” The paragraph when amended shall read as follows:

“Prior to the hearing of a case of any child, the judge shall cause an investigation of all the facts pertaining to the issue to be made when in his discretion such investigation is necessary. Such investigation shall consist of an examination of the parentage and surroundings of the child, his age, habits and history, and shall include also any inquiry into the home conditions, habits and character of his parents or guardian. In such cases the court shall also, if practicable, cause the child to be examined as to his mentality by a competent and experienced psychologist who shall make a report of his findings. Prior to the hearing of a case of any child who attends school, there shall be obtained from the school which he attends a report concerning him. The school officials shall furnish such report upon the request of the court or its probation counselor. The court shall, when it is considered necessary, cause a complete physical examination to be made of the child by a competent physician.”

**SECTION 3. Section 15-1301.26, 1962 Code, amended—provision relating to housing of court deleted.**—Section 15-1301.26 is amended by deleting the last sentence of the section.

**SECTION 4. Section 15-1301.28, 1962 Code, amended—certain records to be filed with clerk of court.**—Section 15-1301.28 of the 1962 Code is amended by striking the following on the last line of the section “clerk of court for Lancaster County” and inserting in lieu thereof the following: “court, except all divorce, adoption, change of name and other similar actions shall be filed in the office of the clerk of court for Lancaster County.”

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R589, H1823)

**No. 358****An Act To Create The Commission For Technical Education For Horry And Marion Counties And To Define Its Functions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Section 23 of Act 323 of the Acts of 1961, a program looking to the establishment of adequate vocational and technical education facilities in the State, intended to coordinate with the industrial expansion of South Carolina, was instituted on a basis requiring cooperation between the State agency therein created and counties or areas within the State. It is specifically required therein that in order for any county or area to comply with the program and thus to receive the benefits of the program, it must make available, and operate adequate facilities, and at the same time provide for adequate local supervision.

**SECTION 2. Horry-Marion Commission for Technical Education created.**—There is hereby created, as an administrative agency of Horry and Marion Counties, a commission to be known as the “Horry-Marion Commission for Technical Education” (hereinafter referred to as the “Commission”), which shall consist of nine qualified registered electors, six from Horry County, and three from Marion County. All appointments to office of the Commission shall be made by the Governor, upon the recommendation of a majority of each legislative delegation, including the Senator, from the respective county. Of those first appointed, two members from Horry County and one member from Marion County shall have terms of one year each, two members from Horry County and one member from Marion County shall have terms of two years each, and two members from Horry County and one member from Marion County shall have terms of three years each. Thereafter, their successors shall be appointed for terms of three years in the same manner as those originally appointed. If any vacancy shall arise, a successor shall be appointed by the Governor for the balance of the unexpired term in the same manner as the original appointments were made. The members of the Commission shall hold office until their successors shall have been appointed and shall qualify. Initial terms of office shall commence July 1, 1963, notwithstanding that a delay in making appointments shall lessen the duration of the terms of office. As soon as the initial appointments have been made, the Commission shall organize by electing one of its

members as chairman, another as vice-chairman, and a third as secretary. A transcript of the record of the initial organization shall be filed with the Clerks of Court of Horry and Marion Counties in order to reflect the initial membership of the Commission and those who shall become its officers.

**SECTION 3. Duties.**—The Commission shall provide for the creation, maintenance, and operation of a technical educational center to be located in Horry County. Horry County shall provide the funds necessary to construct and maintain the center, the ownership of which shall revert to the governing body of Horry County in the event of dissolution of the Commission. There shall be developed and carried out at such center the following:

1. A program coordinated with our industrial expansion effort which will provide immediate training for established industries and provide immediate training for particular industries in accordance with Section 23 of Act 323 of the Acts of 1961.
2. Technical training programs for those who apply and are qualified to train as technicians for initial employment in industry.
3. Provide trade extension courses to persons who desire employment in industries and also to those presently employed who wish to improve their skills.

**SECTION 4. Powers.**—When funds are appropriated by the General Assembly the Commission is authorized and empowered to do all things necessary or convenient to promote the objects of the program instituted by Section 23 of Act 323 of 1961, and without in any way limiting the generality of the foregoing, shall be empowered as follows:

1. To adopt and use a corporate seal.
2. To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of appropriated funds as it may deem advisable.
3. To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
4. To accept gifts, grants, donations, devises and bequests.
5. To provide appropriate supervision of the maintenance of any facility established to promote vocational or technical education.
6. To provide the necessary administrative services required by the State program.
7. To employ such personnel as may be necessary to enable the Commission to fulfill its functions.

8. To establish, promulgate, and enforce reasonable rules and regulations, in conjunction with those promulgated by the State agency for the operation of its facilities.

9. To operate its affairs on a fiscal year coinciding with that of the two counties involved.

10. To expend any funds received in any manner, including the proceeds derived from any bonds which may be issued by Horry County to defray any costs incident to the establishment of adequate facilities for the program, and thereafter to expend such funds as may be appropriated for the operation, maintenance, and improvement of the facilities.

11. To apply for, receive, and expend moneys from all governmental agencies, both State and Federal.

12. To exercise all powers contemplated for local agencies by Section 23 of Act 323 of 1961, and all other laws modifying, amending or implementing it; *provided*, the Commission shall not cause any encumbrance to be put on any property under its control.

**SECTION 5. Records and audit.**—The Commission shall at all times keep full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs shall be made by a qualified public accountant. Copies of the audit shall be filed with the Secretary of the Horry County Legislative Delegation and the Secretary of the Marion County Legislative Delegation.

**SECTION 6. Reports.**—Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with each member of the Legislative Delegations from Horry and Marion Counties.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

**An Act To Amend Section 14-452, Code Of Laws Of South Carolina, 1962, Authorizing The Borrowing Of Money For County Purposes In Chesterfield County, So As To Increase The Amount Authorized.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-452, 1962 Code, amended—approval of loans to Chesterfield County—maximum debt.**—Section 14-452, Code of 1962, is amended by striking out the words “twenty-five” in line 6 and inserting in lieu thereof the word “fifty”, so that when so amended the section shall read as follows :

“Section 14-452. In Chesterfield County any loan that may be made to said county shall be approved by the county treasurer and the supervisor and county treasurer shall jointly execute the note or notes for such money borrowed and the amount borrowed shall not exceed for any one year in the aggregate fifty thousand dollars.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R591, H1825)

**No. 360**

**An Act To Amend Section 65-2289 Of The 1962 Code, Relating To Fees On Delinquent Tax Executions In Chesterfield County, So As To Provide For An Absolute Fee And To Repeal Sections 65-2061 And 65-2805 Of The 1962 Code, Relating To Payment Of Delinquent Taxes In Instalments And Sheriff's Fees For Collection Of Delinquent Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-2289, 1962 Code, amended—Chesterfield County—delinquent tax fees.**—Section 65-2289 of the 1962 Code is amended to read as follows :

“Section 65-2289. The tax collector shall levy and collect from each defaulting taxpayer in addition to the taxes due a fee of four dollars plus five per cent of the total amount of delinquent taxes.”

**SECTION 2. Sections 65-2061 and 65-2805, 1962 Code, repealed.**—Sections 65-2061 and 65-2805 of the 1962 Code are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R592, H1828)

**No. 361****An Act To Amend Section 15-1281.32 Of The 1962 Code, Relating To Appeals From The Juvenile And Domestic Relations Court Of Greenville County, So As To Change The Method Of Perfecting Appeals.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 15-1281.32, 1962 Code, amended—appeals.**

—Section 15-1281.32 of the 1962 Code is amended by striking it and inserting in lieu thereof:

“Section 15-1281.32. Any interested party aggrieved by any order or decree of the Court may appeal to the Circuit Court or to the Greenville County Court. Written notice of intention to appeal shall be given to the Juvenile and Domestic Relations Court of Greenville County within ten days after the entry of the order or decree to be appealed from and receipt of copy thereof. Within ten days after delivery of notice of intention to appeal, the appellant shall deliver to the Juvenile and Domestic Relations Court a written transcript of record which shall be verified by the appellant or his attorney and shall state fully the grounds therefor, and shall include copies of the petition, Court orders and all other pleadings relevant to the appeal, together with a narrative statement of proceedings, in form to be authenticated by the Judge of the Juvenile and Domestic Relations Court, with all exceptions to such narrative statement noted by the parties and the Judge.

The Judge of the Juvenile and Domestic Relations Court shall have ten days after receipt of the transcript of record to amend, correct or add to such narrative statement of proceedings. Should he fail to do so within such time, the narrative statement of proceedings shall be deemed to be true. Should the Judge of the Court amend, correct or add to the narrative statement, the appellant shall have five days after receipt thereof to take any exceptions thereto he may have. Should the appellant take exceptions the Judge of the Juvenile and Domestic Relations Court shall have ten days from the receipt of exceptions in which to amend, correct or add to the narrative statement of proceedings. Should he fail to do so within the ten-day period the narrative statement of proceedings shall be deemed to be true.

It shall be the duty of the Judge of the Court to consult with all adverse parties when amending, in any manner, the narrative statement.

After the narrative statement is settled, as herein provided, the appellant shall, within ten days thereafter, present the entire transcript of record to the court to which the appeal is taken, whereupon it shall be the duty of the Court to fix a time and date for the hearing of the appeal and notify all parties thereof.

In the event any such appeal is from an order adjudging any person in contempt of court, an appeal therefrom shall automatically stay the execution thereof until such appeal is finally determined.

The pendency of an appeal or application therefor shall not suspend the order of the juvenile and domestic relations court regarding a child nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed, and it shall not suspend an order for payment of support."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R593, H1874)

**No. 362**

**An Act To Amend Section 14-355 Of The 1962 Code, Relating To County Planning Boards, So As To Provide For An Ex Officio Member Of The Board In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-355, 1962 Code, amended—county planning board may be appointed.**—Section 14-355 of the 1962 Code is amended by adding at the end thereof the following: "*Provided*, that in Richland County, the President of the Columbia Home Builders Association shall be an ex officio member of the board with voting rights." so that when so amended the section shall read as follows:

"Section 14-355. In each such county, the governing body may appoint a board of not less than five nor more than nine members, known as the county planning board. Any individual, whether in private or ex officio capacity, may be appointed to serve on such board, but the majority of the members thereof shall be individuals who do not hold elective office. The terms of ex officio members shall correspond to

their tenures in office. The term of each appointed member shall be four years, except that the respective terms of three of the members first appointed shall be one, two and three years.

The governing body may provide for the reimbursement of the members of the planning board for actual expenses incurred and shall provide for the filling of vacancies in the membership of such board and for the removal of any member for cause, on written charges, after a public hearing. *Provided*, that in Richland County, the President of the Columbia Home Builders Association shall be an ex officio member of the board with voting rights."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R594, H1901)

**No. 363**

**An Act To Amend Section 65-1826 Of The 1962 Code, Relating To The County Board Of Assessors Of Lee County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-1826, 1962 Code, amended—Board of Tax Assessors created for Lee County.**—Section 65-1826 of the 1962 Code is amended to read as follows:

"Section 65-1826. There is hereby created a Board of Tax Assessors for Lee County to be composed of three members from the county at large, who shall be appointed by the Governor upon the recommendation of a majority of the Lee County Legislative Delegation. The terms of office shall be for two years and until their successors are appointed and qualify. The terms of the initial members shall expire July 1, 1965. The members shall have all the duties, powers, privileges, and compensations as are otherwise devolved by law upon boards of township assessors. Each member of the board shall be paid such per diem as is provided by law for boards, commissions and committees for each full day's work in the performance of duty as a board member and in addition to such pay shall receive mileage at the rate of seven cents per mile, not to exceed fifteen hundred miles in each calendar year, for each mile traveled in the actual performance of such duty.

Any vacancy shall be filled in the manner of the original appointment for the unexpired portion of the term only.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R596, H1904)

**No. 364**

**An Act To Provide For The Sale Of Antiquated And Obsolete Equipment And Fixtures By Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenville County may sell obsolete equipment.**—

The Board of Commissioners of Greenville County may sell any equipment and fixtures which it deems to be antiquated and obsolete. The equipment and fixtures shall be sold at public sale at such time and place as shall be determined by the board of commissioners. *Provided*, that notice of such sale, its date and location, shall be made by publication in a newspaper having general circulation in Greenville County at least two weeks before the date of the sale.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R597, H1910)

**No. 365**

**An Act To Provide For The Issuance Of Construction Permits In Greenville County; To Prohibit Electric Companies From Making Electrical Connections To A Building Constructed Or Improved Without A Permit; To Provide A Penalty For Violations; And To Repeal Sections 14-400.851 Through 14-400.853 Of The 1962 Code, Relating To Building Permits In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Building permits required in Greenville County.**

—It shall be unlawful for any person to construct or improve any

building at a cost in excess of one thousand dollars, in Greenville County, unless an application has been filed with and a permit granted by the county tax coordinator's office for such construction or improvement; *provided*, that no application or permit shall be required for construction or improvement of buildings situate within any incorporated municipality which requires a permit therefor; and *provided*, further, that the form of the municipal permit shall be approved by the office of the tax coordinator and shall meet all specifications required by this act. Any municipality issuing a permit as required by this act shall furnish a duplicate of the application and permit to the office of the tax coordinator.

**SECTION 2. Application forms.**—The tax coordinator shall prepare and furnish the application forms which shall, among other things, show the permit number issued by the county health department concerning sewerage or waste.

**SECTION 3. Issuance of permits.**—The tax coordinator shall issue the permit upon the applicant's complying fully and completely with all of the provisions of Sections 1 and 2 of this act and upon paying a fee of ten dollars which shall be paid to the county treasurer for deposit in the general fund of the county. The permit shall be numbered and be made in triplicate; the original shall be filed with the owner, one copy shall be retained by the tax coordinator, and one copy shall be filed with the auditor.

The permit, when issued, shall be kept at the building or place where such construction or improvement is being done and on demand shall be produced by the person in charge of such work for inspection by any police officer, official or agent of the county health department, or properly designated agent of the tax coordinator's office, and it shall be unlawful to continue the work after demand unless and until the permit is produced for inspection.

**SECTION 4. Penalties.**—Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one hundred dollars nor less than five dollars or imprisonment not exceeding ten nor less than three days. In case of a violation of the provisions of Section 1 of this act, each day that a violation is continued shall constitute a separate offense.

**SECTION 5. Electricity not to be furnished without permit.**—It shall be unlawful for any electric utility company or rural electric

cooperative to make a new connection of electrical energy to a building requiring a permit under this act unless such permit was acquired for the construction or improvement of the building. Any company or cooperative making a connection shall report to the county tax coordinator's office on or before the tenth of each month the location of each connection.

**SECTION 6. Sections 14-400.851 through 14-400.853, 1962 Code, repealed.**—Sections 14-400.851 through 14-400.853 of the 1962 Code are repealed.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R598, H1918)

**No. 366**

**An Act To Create The Oconee County Library, An Eleemosynary Corporation, And To Repeal Article 30, Chapter 7, Title 42, Of The 1962 Code, Creating And Relating To The Oconee County Public Library Commission.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Oconee County Library created.**—There is hereby created the Oconee County Library, an eleemosynary corporation under the control of the State, which shall have all the powers conferred upon such corporations by this act and the other applicable laws of this State.

**SECTION 2. To be managed by board of trustees.**—The corporation shall be controlled and managed by a board of five trustees, no two of whom shall be from the same township, to be appointed by the Oconee County Legislative Delegation and to serve without pay. Of the original appointments one shall be for a term of one year, two for a term of two years each, and two for a term of three years each, and until their successors have been appointed and qualified. Subsequent appointments, except to fill an unexpired term, shall be for terms of three years each and until their successors shall have been appointed and qualified. Vacancies in an unexpired term shall be filled for the unexpired portion of the term in the manner of the original appointment. Members of the commission shall not

serve consecutively for more than three terms and shall be subject to removal for cause by the appointing power.

**SECTION 3. Officers—bonds—meetings.**—The board shall elect a chairman, a vice-chairman, a secretary, a treasurer, and such other officers as may be deemed expedient and may make such rules and regulations for the conduct of its business, not inconsistent with law. The board may require of its treasurer and librarian a suitable bond for the faithful performance of their respective duties. The board shall meet at least four times annually and hold such other meetings as it deems necessary.

**SECTION 4. Employ librarian.**—The board shall have the entire and exclusive control and management of the Oconee County Library and shall employ a librarian qualified by training and experience to conduct and administer public library service, and may employ, direct, and discharge any such employee as it may consider advisable, at its pleasure. No member of the board or relative of a board member shall be employed.

**SECTION 5. Powers.**—The Oconee County Library may, by way of amplification and classification but without limiting the generality of powers conferred on it by Section 1: (1) purchase, lease, hold, and dispose of real estate and personal property; (2) acquire books and other informational material and provide for their circulation throughout each and every section of the county; (3) accept donations of land, service, materials, books and other things for the establishment and equipping of libraries; (4) enter into agreements for suitable designation and marking of equipment, rooms, buildings and other library facilities to commemorate the memory of individuals; (5) cooperate or enter into contracts with any state or federal agency when by so doing it will receive substantial aid in carrying out the purposes of the library; (6) enter into contracts with other counties to operate regional or joint libraries and facilities; (7) generally to do all things necessary and proper to establish, equip, maintain, and operate a county library system.

**SECTION 6. Duties.**—The board of trustees shall provide and make available to the citizens of Oconee County good books and informational material. To that end the board, in the name of the corporation, shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board, acquire books

and other informational material, facilities and equipment, and make such rules and regulations, not inconsistent with law, as it may deem necessary to insure the effective and efficient maintenance and operation of a county library system.

**SECTION 7. Members not to make contracts with board.**—No member of the board of trustees shall contract with the board and any such attempted contract shall be void.

**SECTION 8. Reports.**—The commission shall annually, on or before September first of each year, make a report of its activities, showing in summary form its receipts and expenditures, the libraries and bookmobile routes operated by it, the number of books, periodicals and other property owned by it, the character of the service rendered to the people of the county, including the number making use of its service, and such other pertinent facts as would show its activities during the preceding fiscal year. Reports shall be filed in the office of the clerk of court for the county and copies shall be furnished each member of the county legislative delegation.

**SECTION 9. Article 30, Chapter 7, Title 42, 1962 Code, repealed.**—Article 30, Chapter 7, Title 42, of the 1962 Code, is repealed.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R599, H1926)

**No. 367**

**An Act To Authorize The Treasurer Of Chesterfield County To Invest County Funds In Certain Obligations Of The United States.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Investment of funds by Chesterfield County.**—The Treasurer of Chesterfield County is authorized to invest county funds in excess of the amount necessary for immediate payments in obligations of the United States or any agency of the United States.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R600, H1864)

**No. 368****An Act To Amend Section 23-178 Of The 1962 Code, Relating To Voting Precincts In Hampton County, So As To Divide The Hampton Courthouse Precinct Into Two Precincts.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 23-178, 1962 Code, amended—voting precincts in Hampton County designated.**—Section 23-178 of the 1962 Code is amended by adding after the word “Courthouse” on line 2 the following: “No. 1; Hampton Courthouse No. 2” and by adding at the end of the section the following: “Hampton Courthouse Precinct No. 1 shall consist of that area of the old Hampton Courthouse Precinct lying north and northeast of the center line of State Highway No. 28 and Hampton Courthouse Precinct No. 2 shall consist of that area of the Old Hampton Courthouse Precinct lying south and southwest of the center line of State Highway No. 28.” so that when so amended the section shall read as follows:

“Section 23-178. In Hampton County there shall be the following voting precincts: Brunson; Hampton Courthouse No. 1; Hampton Courthouse No. 2; Varnville; Early Branch; Garnett; Estill; Luray; Bonnett; Furman; Scotia; Gifford; Yemassee; Horse Gall; Rivers Mill; Hopewell; Crockettville; Cummings; Black Creek; and Miley. Hampton Courthouse Precinct No. 1 shall consist of that area of the old Hampton Courthouse Precinct lying north and northeast of the center line of State Highway No. 28 and Hampton Courthouse Precinct No. 2 shall consist of that area of the old Hampton Courthouse Precinct lying south and southwest of the center line of State Highway No. 28.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R601, H1865)

**No. 369****An Act To Provide For The Appointment Of The County Manager Of Darlington County And To Provide For Approval Of The Annual Budget Of The County By The County Legislative Delegation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. County Manager of Darlington County—appointment and term.**—The County Manager of Darlington County shall be appointed by the Governor upon recommendation of a majority of the county legislative delegation, including the Senator, for a term of one year, such term to begin on July first of the year of appointment.

**SECTION 2. Budget to be approved by legislative delegation.**—The annual budget for Darlington County shall be subject to amendment and approval by a majority of the county legislative delegation, including the Senator, and shall not become effective until approval in writing as provided herein.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of June, 1963.

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(R603, H1877)

**No. 370**

**An Act To Exempt The Town Of Lodge In Colleton County From The Requirement Of Having A Board Of Commissioners Of Public Works And To Vest The Powers And Duties Of Such Board In The Town Council.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Lodge not to have board of commissioners.**—In addition to the cities and towns set out in Section 59-174 of the 1962 Code which shall not have boards of commissioners of public works, the Town of Lodge in Colleton County shall not have such a board and the powers, duties and responsibilities vested in such boards in other cities and towns shall be vested in the Town Council of the Town of Lodge.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R605, H1885)

## No. 371

**An Act To Amend An Act Of 1963 Bearing Ratification No. 334, Relating To Clerk Of Court Fees For Laurens County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1 of Act 190 of 1963 amended—Laurens County clerk of court fees changed.**—Section 1 of an act of 1963 bearing ratification No. 334 is amended by striking “.75” where it appears in item (11) on page 1 and in items (11) (12) and (13) on page 2 and inserting in lieu thereof “.50”.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R608, H1892)

## No. 372

**An Act To Amend Section 14-2999 Of The 1962 Code, Relating To The Board Of Rural Fire Control For Newberry County, So As To Increase The Terms Of Office Of Members From Two To Four Years.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-2999, 1962 Code, amended—Board of Rural Fire Control for Newberry County established.**—Section 14-2999 of the 1962 Code is amended by striking the word “two” on line four and inserting in lieu thereof the word “four”, so that when amended the section shall read as follows:

“Section 14-2999. There is hereby established a Board of Rural Fire Control for Newberry County, to be composed of five members appointed by the Governor upon the recommendation of a majority of the county legislative delegation. Their terms of office shall be for four years and until their successors are appointed and qualify. They may succeed themselves. Any vacancy occurring shall be filled for the unexpired term in the manner of the original appointment. The members of the Board shall serve without compensation, but shall receive nine cents per mile to and from meetings of the Board.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R609, S453)

**No. 373**

**An Act To Allow Abbeville County To Destroy Certain Old Records.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Abbeville County may destroy old records.**—Any county office, agency or department of Abbeville County may, upon approval of the governing board and county legislative delegation, destroy any record in its office which is over ten years old, provided such record has no historical value.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R611, S472)

**No. 374**

**An Act To Provide That The Magistrates In Clarendon County Shall Serve Terms Of Four Years And To Repeal Section 43-712 Of The 1962 Code, Relating To The Commencement Of Terms Of Office Of Magistrates In Clarendon County.**

Whereas, the terms of magistrates in Clarendon County were for four years prior to the amendment in 1959 to Article 5, Section 20 of the Constitution of South Carolina; and

Whereas, the 1959 amendment eliminated the proviso relative to Clarendon County, thus causing the magistrates of the county to serve for terms of two years as provided for in the general statute; and Whereas, it is the desire of the citizens of Clarendon County that the magistrates serve for terms of four years. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of Clarendon County magistrates.**—Notwithstanding the provisions of Section 43-1 of the 1962 Code, terms of office of Magistrates in Clarendon County shall be four years to commence on July 1, 1963.

**SECTION 2. Section 43-712, 1962 Code, repealed.**—Section 43-712 of the 1962 Code is repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R615, H1735)

**No. 375**

**An Act To Amend Sections 14-1085 And 14-1086 Of The 1962 Code, Relating To Boards Of Rural Fire Control In Berkeley County, So As To Provide For The Establishment Of An Additional Board.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 14-1085, 1962 Code, amended—Board of Rural Fire Control for Caromi area.**—Section 14-1085 of the 1962 Code is amended by adding at the end thereof the following :

“(5) The Caromi area bounded as follows :

Starting at intersection of U. S. Highways 176 and 17A, known as Carnes Crossroads, and extending from thence westwardly and southwestwardly along U. S. Highway 17A to its intersection with U. S. Highway I-26; thence extending southeastwardly along U. S. Highway I-26 to its intersection with State Highway 62; thence extending southwestwardly along State Highway 62 to its intersection with U. S. Highway 78; thence extending southeastwardly along U. S. Highway 78 to its intersection with Goose Creek; thence extending along the run of Goose Creek (the county line) eastwardly to a fork of the creek running generally northwardly; thence extending northwardly along the fork or an extension thereof to its intersection with U. S. Highway 176; thence extending northwestwardly along U. S. Highway 176 to its intersection with U. S. Highway 17A, the point of beginning; *provided*, that such area shall be inclusive of the area immediately adjacent to and to the west of the boundary along

U. S. Highway 17A; *provided*, further, that such area shall be exclusive of Pine Vista Subdivision area."

**SECTION 2. Section 14-1086, 1962 Code, amended—Caromi area board may make agreements with other boards.**—Section 14-1086 of the 1962 Code is amended by adding at the end thereof the following:

"(8) The board of the Caromi area shall be authorized to enter into cooperative agreements with other rural fire control boards within or without the county."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R616, H1834)

**No. 376**

**An Act To Regulate The Construction, Alteration And Servicing Of Septic Tanks And Sewerage Systems In Spartanburg County, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Spartanburg County—persons engaging in septic tank business to be licensed.**—No person, except the owner, shall construct, alter or service a septic tank or other sewage disposal system in Spartanburg County after June 30, 1963, without first having obtained a license therefor from the governing body of the county. The license shall be in such form as may be prescribed by the governing body of the county and shall be issued on an annual basis for a period running from July first through June thirtieth. The fee for the license shall be twenty-five dollars for residents of the State and fifty dollars for nonresidents. The governing body of the county may require a bond before issuing a license in such amounts and with such conditions as it deems proper. Before any license is issued the county health department shall investigate the person seeking the license and shall satisfy itself that he is qualified to construct or alter septic tanks or other sewage disposal systems and service them in a manner which shall promote the health of the people of the county and in accordance with accepted sanitary engineering practices. The provisions of this act shall apply to the construction and maintenance or any altera-

tions to sewage disposal systems whether they be for domestic or industrial waste.

**SECTION 2. Exceptions.**—The provisions of this act shall not apply to any municipality having regulations or ordinances governing sewerage.

**SECTION 3. Penalties.**—Any person convicted of violating the provisions of this act shall be fined not more than one hundred dollars or imprisoned for not more than thirty days for the first offense. Upon conviction of the second and each additional offense punishment shall be in the discretion of the court, but not to exceed imprisonment for six months or a fine of five hundred dollars.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R625, H1896)

**No. 377**

**An Act To Increase The Term Of Office From One To Two Years Of The Mayor And Councilmen Of The Town Of Hollywood In Charleston County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Terms of mayor and councilmen for Town of Hollywood.**—Notwithstanding the provisions of Section 47-111 of the 1962 Code, in the Town of Hollywood, in Charleston County, the mayor and councilmen shall, upon the expiration of the terms of office of the present mayor and councilmen, be elected every two years, and their terms of office shall be for two years and until their successors are elected and qualify.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R626, H1897)

## No. 378

**An Act To Amend Section 14-1198.6 Of The 1962 Code, Relating To The Amount That May Be Expended By The Sheriff Of Charleston County, So As To Increase Such Amount.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-1198.6, 1962 Code, amended—sheriff, judge of probate and master in equity may spend certain sums.**—Section 14-1198.6 of the 1962 Code is amended by striking on line 5 “twenty-eight” and inserting “forty” so that when so amended the section shall read as follows:

“Section 14-1198.6. The sheriff, the judge of probate, and the master in equity shall have full authority, notwithstanding the provisions of this article, to expend from the gross fees received by them for the legitimate hiring of personnel or other legitimate expenses of their offices the following amounts: Sheriff, forty thousand dollars; Judge of probate, five thousand dollars; master in equity, two thousand dollars. To the extent of such expenditures actually made, and within such prescribed limits, such offices shall not be liable to the county for any funds so expended; but such officers shall report all such expenses to the county treasurer monthly and at the end of each calendar year and shall only be liable to the county for any excess net fees as determined by the provisions of this article.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of June, 1963.

(R627, H1921)

## No. 379

**An Act To Provide For Civil Costs Collected By Magistrates And Constables In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Greenwood County—costs to be collected by magistrates and constables.**—Notwithstanding any provision of law to the contrary, the following costs shall be collected by the Magistrates and Constables of Greenwood County in all civil cases:

- (1) For issuing Summons and Complaints, and all copies, and taking a Return of Service of the same, two dollars;
- (2) For issuing a Summons, Complaint and Affidavit and taking Bond in Claim and Delivery, and all copies, two dollars;
- (3) For issuing an Attachment, Complaint and Affidavit and taking Bond in Attachment and taking Return of Service of the same, two dollars;
- (4) For writing and issuing a Distress Warrant for Rent, two dollars;
- (5) For writing and issuing a Notice of Ejectment between landlord and tenant, two dollars;
- (6) For writing and issuing an Ejectment of Tenants from premises, one dollar;
- (7) For writing and issuing a letter of Garnishment to employers, three dollars;
- (8) For serving any of the above papers, two dollars and fifty cents;
- (9) For making up a Judgment on a verdict or by default, fifty cents; and
- (10) For each trial in which a jury is requested, seven dollars and fifty cents.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R628, H1922)

**No. 380**

**An Act To Provide For The Transfer To The General Fund Of Greenwood County Of Certain Funds Held By The Delinquent Tax Collector Of Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Greenwood County—delinquent tax funds to be transferred to county treasurer.**—Funds which have heretofore been, or may hereafter be, deposited in the escrow account of the Delinquent Tax Collector of Greenwood County, being the proceeds of tax sales in excess of amount necessary to pay the taxes due or otherwise being overpayments, shall, if not properly claimed by the

person or persons entitled thereto within a period of five years from the date of deposit, be deemed forfeited to the County of Greenwood and shall be paid by the delinquent tax collector to the county treasurer for credit to the general fund of the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R629, H1923)

**No. 381**

**An Act To Amend Sections 51-352 And 51-353 Of The 1962 Code, Relating To The Governing Body Of The Greenwood Recreation District, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 51-352, 1962 Code, amended—Greenwood Recreation Commission created.**—Section 51-352 of the 1962 Code is amended to read as follows :

“Section 51-352. There is hereby created a commission to be known as the Greenwood Recreation Commission.

The commission shall be composed of ten citizens of the county who reside within the limits of the district.”

**SECTION 2. Section 51-353, 1962 Code, amended — appointments and terms.**—Section 51-353 of the 1962 Code is amended to read as follows :

“Section 51-353. The members of the commission shall receive their appointment from the Governor and their names shall be recommended to the Governor in the following manner : Five of the members shall be recommended by the City Council of the City of Greenwood and five of the members shall be recommended by the Board of School Trustees of School District No. 50.

The initial terms of the members of the commission added by this act shall be as follows : Two members for a term of one year, two for a term of two years and two for a term of three years. Thereafter, all members shall serve for a period of three years. The members of the commission shall be eligible for reappointment and each shall serve until his successor is appointed.”

**SECTION 3. Not to affect present members.**—This act shall not affect the terms of office of the present members of the commission.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R630, H1924)

**No. 382**

**An Act To Amend Section 51-351 Of The 1962 Code, Relating To The Greenwood Recreation District, So As To Enlarge The District Subject To The Referendum Provided Herein.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 51-351, 1962 Code, amended, if referendum favorable—Greenwood Recreation District created.**—Subject to a favorable result in the referendum hereinafter provided for, Section 51-351 of the 1962 Code is amended to read as follows:

“Section 51-351. There is hereby created a district known as the Greenwood Recreation District which shall consist of all of the area included within a four mile radius from the center of the Public Square in the City of Greenwood.”

**SECTION 2. Referendum concerning enlargement of district.**—The Commissioners of Election for Greenwood County shall cause to be held a referendum the second Tuesday in November 1963. Ballots containing the following question shall be furnished all eligible voters in the proposed district residing outside of the present bounds of Greenwood Recreation District: “Shall the Greenwood Recreation District be enlarged to include all that area included within a four mile radius from the center of the Public Square in the City of Greenwood?”

Yes ☐

No ☐

Those favoring the enlargement of the district shall place a check or cross mark in the square following the word ‘Yes’ and those opposed shall place a check or cross mark in the square following the word ‘No’.” As soon after the referendum as is practicable the commissioners of election shall certify the results of the referendum to the Clerk of Court of Greenwood County and shall submit a copy

thereof to the Secretary of State, certifying whether the enlargement of the district and the amendment to Section 51-351 herein defined has or has not become effective.

**SECTION 3. List of electors.**—The registrar of election shall compile a list of all qualified electors for this election and furnish it to all voting precincts concerned.

**SECTION 4. Notice of referendum.**—The commissioners of election shall advertise the referendum by legal notice incorporating the provisions of Section 2 hereof on three occasions within a period of thirty days preceding the referendum.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R632, H1944)

**No. 383**

**An Act To Amend Section 65-3471 Of The 1962 Code Providing For The Tax Execution Fee Collected By The Treasurer Of Darlington County, So As To Increase Such Fee From Fifty Cents To One Dollar.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-3471, 1962 Code, amended—Darlington County Treasurer to receive tax execution fee.**—Section 65-3471 of the 1962 Code is amended by striking the words “fifty cents” and inserting in lieu thereof the words “one dollar”, so that when amended the section shall read as follows:

“Section 65-3471. The treasurer of Darlington County shall receive, in addition to his salary one dollar on each tax execution issued by him and collected.”

**SECTION 2. When act to apply.**—The provisions of this act shall apply to all such fees collected subsequent to December 31, 1963.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R633, H1945)

**No. 384**

**An Act To Amend Sections 65-3572 And 65-3575 Of The 1962 Code, Relating To Taxation In Marlboro County, So As To Decrease The Number Of Members Of The County Board Of Tax Assessors, To Provide That The Members Of Such Board Shall Be Appointed Upon The Recommendation Of A Majority Of The Marlboro County Legislative Delegation, Including The Senator, To Provide For Meetings Of The Board, And To Change The Times On Which The Board Of Tax Appeals And Equalization Of Marlboro County Shall Meet.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-3572, 1962 Code, amended—Marlboro County to have county board of tax assessors—appointments—duties—meetings.**—Section 65-3572 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following :

“Section 65-3572. In Marlboro County the duties relative to the valuation, assessment, and return of properties for taxation are hereby devolved upon a board to be known as the County Board of Tax Assessors, which shall be composed of five members, with one member being from each of the five school administrative areas of Marlboro County and all of them shall be qualified electors of the county. The Board of Tax Assessors shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation and shall serve for a term of two years. The board shall appoint assistant tax assessors in such number and for such length of service as is authorized by the legislative delegation. The compensation and expenses of the Board of Tax Assessors and assistant tax assessors shall be such as is provided therefor by the legislative delegation.

The Board of Tax Assessors, or its designated representatives, shall inspect every piece of real property in the county and fairly and impartially assess the value thereof for each year in which real estate is, by law, required to be returned for taxation, and in all other years, the board shall inspect and assess the value of all real estate and improvements thereon not previously assessed for taxation and make such changes, by way of increase or decrease, in the valuation of any taxable property as returned by any person or as fixed by the county auditor, as may in its judgment be necessary or proper to conform with the methods, policies, rules, and regulations of the board, and from time to time, whenever in its judgment it shall appear necessary,

reassess any or all taxable property so as to reflect its proper valuation.

The board shall meet at such times as it may be called together by the chairman and shall meet at other times as may be deemed necessary upon the call of any three members. The Auditor of Marlboro County is hereby authorized and directed to call such meetings as may be necessary to insure a proper consideration of matters pending before the board.

Nothing contained herein shall be construed so as to relieve the county auditor or any other official of any duties now prescribed by law."

**SECTION 2. Section 65-3575, 1962 Code, amended—appeals.**—Section 65-3575 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 65-3575. The board shall meet for the purpose of hearing appeals from the Board of Tax Assessors or the auditor when the chairman of the board is notified by the Board of Tax Assessors or the Auditor of Marlboro County that there are appeals to be heard from the Board of Tax Assessors, as provided in Section 65-3576, and at such other times as it may be called together by the chairman or at such other times as may be deemed necessary upon the call of any two members, not exceeding in all twenty days in any one year."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R635, H1829)

**No. 385**

**An Act To Provide For The Compensation Of The Clerk Of Court Of Berkeley County; To Specify The Amount Of Certain Recording Fees Collected By The Clerk And To Provide For The Reporting And Disposition Of Fees Collected By County Officials Of Berkeley County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Clerk of Court for Berkeley County—compensation of.**—Clerk of Court for Berkeley County. The Clerk of Court

for Berkeley County shall receive and be paid by the County such annual salary as may be provided by law and all net fees and commissions of his office shall be remitted to the County Treasurer in the manner hereinafter provided.

**SECTION 2. Records — quarterly statement.**—Quarterly Statements. The Clerk of Court shall keep accurate and detailed records of such fees and commissions accrued and received by his office and shall file in the office of the County Treasurer on or before the 10th day following each quarter a statement for the previous quarter made under oath before any person authorized by the laws of this State to administer oaths showing: (1) The gross amounts of such fees and commissions accrued or received during the previous quarter; (2) the expenses paid during such quarter by such officer from such fees for authorized purposes specifying the same; (3) Transfer fees collected on behalf of the County Auditor for quarterly remittance to the County Auditor; (4) The unpaid amount of such fees as may have been handled on credit by such officer; (5) The net amount of the fees for such quarter actually received by such officer shall be the gross amount referred to in Item 1 less the amounts referred to in Items 2, 3 and 4 of this Section.

In every such statement there shall be added to the net amount referred to in Item 5 of this Section the total amount collected during the previous quarter covered by such statement on such fees and commissions as may have been handled on credit in the previous quarter; and the total thus secured shall be the net amount as to such statements. Such statements shall be preserved by the County Treasurer and made available to the Senator and Members of the House of Representatives from the County or any of them upon request and all of such records shall be made available to the public after the end of each fiscal year. The County Treasurer shall not pay any appropriations made for the salary of the Clerk of Court until such officer shall have filed in the Office of the County Treasurer the statement of the fees and commissions received by him in the preceding quarter as provided in this Section.

**SECTION 3. Quarterly remittances.** — Quarterly Remittances. The Clerk of Court shall within ten (10) days following the expiration of each quarter pay over to the County Auditor all transfer fees collected to the credit of the Auditor for the previous quarter together with an accurate listing of the same. He shall together with

the quarterly statement hereinabove provided for pay over to the County Treasurer the net amount of fees and commissions accrued to his office to the credit of the County for the previous quarter.

**SECTION 4. Annual statement.**—Annual Statement. In addition to the quarterly statements required by Section 2 above the Clerk of Court shall render an annual statement to the County Treasurer within ten (10) days after the expiration of each calendar year which shall show all receipts and expenditures and remissions for fees and commissions for the preceding calendar year.

**SECTION 5. Extension of credit.**—Extension of Credit. Nothing contained in this article shall be construed as requiring the Clerk of Court to collect fees in advance or to prevent him from extending credit; provided, however, that should credit be extended in excess of One Hundred (\$100.00) Dollars to any one party or to any attorney or firm such officer shall at the end of the calendar year subsequent to the year in which such credit be extended be liable to the County for the credit so extended and not collected exceeding One Hundred Dollars as aforesaid.

**SECTION 6. Fees.**—Exceptions to Clerk's Fees in Berkeley County. The fees and commissions of the Clerk of Court for Berkeley County shall be as set forth in this section, except that if the fee for any service is not set forth in this section, then such fee shall be as provided by the general law:

(1) Except as hereinbelow provided in Item (2) hereof, a total fee for each action brought to conclusion by trial, ten dollars; for each action referred to the Master in Equity or to a special referee and completed, fifteen dollars; for each action brought but not completed by trial or reference, five dollars;

(2) For each divorce or annulment completed, including two certified copies of final decree, ten dollars; for each divorce or annulment commenced but not completed, five dollars; for each legal separation, adoption, change of name, including two certified copies of final decree, and for each action brought to judgment by default, five dollars;

(3) Miscellaneous items: Recording any certificate, such as military discharge, notary commission, etc., fifty cents; furnishing certified copy of any certificate, one dollar; recording transcript of judgment, one dollar and fifty cents; recording lis pendens, single, one dollar, plus fifty cents for each additional defendant and fifty cents for each additional parcel; guardian ad litem, filing petition and order, two dollars and fifty cents;

(4) No charge shall be made for the swearing of magistrates, constables or other officials nor for entering the satisfaction of a judgment; and

(5) The charges and fees for recording instruments in the office of the Clerk of Court for Berkeley County shall be in amounts as follows: (a) for deeds, real estate mortgages, leases, contracts, agreements, powers of attorney, bonds for title, mechanics' and materialmen's liens, real estate attachments, any instruments concerning real estate and any other instruments entitled to recordation not herein specifically provided for, including chattel mortgages and other instruments whereby the holder retains or claims an interest in personal property, with or without notes, to secure a principal debt of more than one hundred dollars, one dollar for the first legal-cap-size page, or fraction thereof, and twenty-five cents for each additional page, or fraction thereof, required to complete recording; (b) for chattel mortgages securing a principal debt of one hundred dollars or less, fifty cents; (c) for assignments, cancellations, dowers and other matters pertaining to any of the instruments above named, recorded after the original recordation, twenty-five cents; (d) for a cancellation with affidavits, fifty cents; (e) for plats, one dollar for legal-cap-size page or fraction thereof, and all other plats are one dollar for the first four corners and ten cents for each additional corner; (f) for charters, two dollars; and (g) for homestead proceedings, seven and one-half dollars. Any page above referred to, having writing, stamps or other written matter to be recorded on both sides, shall be counted and charged as two pages. If any document offered for record contains more than ten pages, each additional ten pages or portion thereof shall be considered a separate document for the purpose of fixing the recording fees herein provided for.

The willful or intentional collection by the Clerk of any fee, payment or gratuity as compensation for any service performed by him as Clerk, other than as provided in this section, shall be cause for his removal from office.

**SECTION 7. Time effective.**—This act shall take effect July 1, 1963 upon approval by the Governor.

Approved the 19th day of July, 1963.

(R637, H1857)

## No. 386

**An Act To Amend Section 65-1552 Of The 1962 Code, Relating To Tax Exemptions For New Manufacturing Establishments In Edgefield County, So As To Delete School Taxes From Such Exemptions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 65-1552, 1962 Code, amended—tax exemptions for manufactories in Edgefield County.**—Section 65-1552 of the 1962 Code is amended by deleting on line 6 the “, school” and by inserting after the word “taxes” on line 6 the words “except school taxes” and by adding at the end thereof the following:

*“Provided, any such establishment which is exempt from school taxes on May 1, 1963 shall continue to be so exempt for the period of time for which such exemption was granted.”* so that when so amended the section shall read as follows:

“Section 65-1552. All new manufacturing establishments of the kinds mentioned in this section located in Edgfield County, with a capital of not less than twenty-five thousand dollars actually invested in the county and employing an average of at least fifteen employees for at least six months of each year, shall be exempt from the payment of county and all other taxes except school taxes for a period of five years from the date of the establishment thereof. But no manufacturing establishments shall come within the provisions of this section except furniture factories, automobile seat cover factories, crate and box factories, veneer plants, paper mills, cotton mills, hosiery mills, woolen mills, garment factories, bottling plants, oleomargarine plants, farm machinery plants, dairy products manufacturing plants, poultry and livestock processing plants, canneries and all other manufactories, processors and freezers of farm vegetables or meats. The tax exemption provided for in this section shall only apply to the machinery, mechanical appliances, tools, equipment and similar property needful and essential for the construction, operation and maintenance of any such manufacturing establishment and buildings essential for the housing and operation thereof, and shall not apply to any other property of whatsoever kind or nature which may be owned or controlled by the owners or operators of any such manufacturing establishment exempted as aforesaid. *Provided, any such establishment which is exempt from school taxes on May 1, 1963 shall continue to be so exempt for the period of time for which such exemption was granted.*”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R639, H1940)

**No. 387**

**An Act To Provide For A Referendum As To The Creation Of The Irmo Fire District In Lexington County And To Provide For Its Creation In The Event Of A Favorable Vote; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Referendum in Lexington County concerning creation of Irmo Fire District.**—The Lexington County Commissioners of Election shall conduct a referendum on the second Tuesday in August, 1963, to ascertain the wishes of the qualified electors residing within the proposed Irmo Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area.

**SECTION 2. Conduct of election.**—The commissioners of election shall have printed a sufficient number of ballots and have them distributed at the voting places. The ballots shall read as follows: "Do you favor establishing and operating a rural fire department in the Irmo area and the necessary tax levy?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to.' "

Only those persons otherwise qualified and owning taxable property within the area shall be entitled to vote. The officials responsible for canvassing the results of the election shall, within ten days, certify

such results to the clerk of court of the county and to the Secretary of State.

**SECTION 3. Irmo Fire District created if election favorable.—**

If a majority of those voting in the election vote in favor of the creation of the fire district, there is hereby established the Irmo Fire District in Lexington County bounded as follows:

Beginning at a point where S. C. 36 intersects with I-26, thence following a westerly direction to Lever Road where the extension thereof intersects with the C. N. & L. Railroad, thence northwest along the railroad where it intersects with S. C. 36, continuing along S. C. 36 and S. C. 107 to a point bordering on the western boundary of the G. E. Plant, thence running in a southerly direction to the Saluda River, thence running in a westerly direction along the Saluda River to lands of the S. C. Electric and Gas Company, thence north and east along a spur track to S. C. 107, thence along S. C. 107 where it joins S. C. 271 and along S. C. 271 where it joins S. C. 356, thence northerly along S. C. 356 to Irmo City limits running along and including Irmo City line to I-26, thence along I-26 to the point of beginning.

**SECTION 4. Board of fire control established.—**After the creation of the Irmo Fire District, there is established a board of fire control for the district to be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the Lexington County Legislative Delegation. The original members of the board shall be appointed as follows: one shall be appointed for a term of two years, one shall be appointed for a term of four years, and one shall be appointed for a term of six years. The members of the board shall serve without pay and shall file annually a report with the Lexington County Board of Control not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

If at least twenty per cent of the qualified electors residing in the district petition the commissioners of election by the first of September of any general election year, the commissioners shall call an election to be held at the following general election for the purpose of electing a member to the board to succeed the member whose term will expire during such year, for a six-year term. Thereafter, members shall be elected in each succeeding general election for terms of six years.

**SECTION 5. Duties.—**The board shall have the following duties and responsibilities:

(a) To buy such fire fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select the sites or places within the area where the fire fighting equipment shall be kept.

(c) To provide and select the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interest of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district, in anticipation of taxes. The indebtedness shall be evidenced by a note or notes issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Irmo Fire District is hereby irrevocably pledged for the payment of the indebtedness.

**SECTION 6. Tax levy.**—The Auditor and Treasurer of Lexington County are hereby directed to levy and collect a tax of not more than two mills, to be determined by the board of fire control, upon all the taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

**SECTION 7. Supervision of equipment.**—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

**SECTION 8. Enforcement of fire laws.**—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this

State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

**SECTION 9. Unlawful acts—penalties.**—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment not exceeding thirty days.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

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(R640, H1941)

**No. 388**

**An Act To Amend The 1962 Code By Adding New Section 33-456.1, So As To Provide For Permits For Excavations To Certain Roads In Greenville County And To Provide Penalties.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Code of 1962 amended—Section 33-456.1 added—excavation permits required in Greenville County.**—The 1962 Code is amended by adding new Section 33-456.1 to read as follows: "Section 33-456.1. Any person desiring to make any excavation in or across any road in Greenville County, which shall not exceed twenty-four feet in length, outside any incorporated city or town not in the State highway system, shall make and file with the tax coordinator an application in writing for permission to make such excavation. A fee of fifteen dollars shall be required on all permits for excavations issued by the tax coordinator's office. Such application shall state fully the nature, purpose, extent and depth of the proposed excavation and such further information as may be required by the tax coordinator. Any person desiring to make any lineal excavation, on and running parallel with any road described above, shall make and file with the county supervisor an application in writing for permission to make such excavation. This application shall also state fully the nature, purpose, extent and depth of the proposed excavation and

such further information as may be required by the supervisor. Before permission shall be granted by the supervisor, an applicant shall execute and deposit in the office of the supervisor a good and sufficient bond of indemnity or cash in such form as may be required to repair the road, restore it to as good condition as to foundations and surface as it was before being excavated and to insure its maintenance for a period of one year after the repairs or excavations are completed. When such excavation is to be made by a solvent public utility, such bond may be executed by the utility without additional surety. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding one hundred dollars or imprisoned for a term not exceeding thirty days."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R641, H1946)

**No. 389**

**An Act To Amend Sections 21-3503, 21-3504, 21-3508, 21-3511, 21-3515, 21-3516 And 21-3517 Of The 1962 Code, Relating To Education In Marlboro County, So As To Provide That Members Of The Marlboro County Board Of Education Shall Be Appointed By The Governor Upon The Recommendation Of A Majority Of The Legislative Delegation And Vacancies Shall Be Filled In Like Manner; To Change The Method Of Compensating The Members Of The Board Of Education; To Provide Additional Powers Of The Board Of Education; To Provide That The Members Of The Board Of Trustees Of Administrative Areas Shall Be Appointed By The Governor Upon The Recommendation Of The Marlboro Legislative Delegation; To Change The Date For The Preparation And Submission Of Annual Budgets And To Provide That They Shall Be Submitted To The Legislative Delegation; And To Relieve The County Auditor Of Certain Duties Relative To The Budget Of The Board Of Education.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 21-3503, 1962 Code, amended—Marlboro County Board of Education—appointments and vacancies.—Sec-**

tion 21-3503 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3503. Upon the expiration of the terms of office of each of the members of the Marlboro County Board of Education, such office shall be filled by appointment of the Governor for the regular five-year term upon the recommendation of the Legislative Delegation of Marlboro County. In case of any vacancy in such office by death, resignation or disqualification, the vacancy shall be filled by appointment for the remainder of the regular term only, by the Governor upon the recommendation of the Legislative Delegation of Marlboro County."

**SECTION 2. Section 21-3504, 1962 Code, amended—compensation of members.**—Section 21-3504 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3504. Members of the board of education shall receive as compensation fifteen dollars per day for attendance at regular or special meetings of the board, and in the case of the chairman, vice-chairman, secretary, or other member of the board, the same rate of compensation for performance of necessary duties authorized and directed by the board. In addition thereto, each member shall receive mileage at the rate of nine cents per mile for attendance at meetings of the board or for performing special duties as directed by the board. *Provided*, however, that no member shall receive payment of any compensation for more than three days per calendar month."

**SECTION 3. Section 21-3508, 1962 Code, amended—items (28) and (29) added—additional powers.**—Section 21-3508 of the 1962 Code is amended by adding two new items to read as follows:

"(28) Sell, with the consent of a majority of the local area trustees of the area in which the property exists, the property of the School District of Marlboro County, used or adapted to be used for school purposes within the area, at public or private sale, upon such terms as appear to them to be advantageous.

(29) Set up, in addition to the high schools and elementary schools provided for in item (26) of this section, centers of instruction for vocational training, adult education and other courses which cannot be offered in the individual schools of the county."

**SECTION 4. Section 21-3511, 1962 Code, amended—each administrative area to have board of trustees.**—Section 21-3511 of the

1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3511. In each of the administrative areas of the School District, there shall be a board of school trustees of five members. Upon the expiration of the present terms of office of the trustees, such office shall be filled by appointment of the Governor for the regular three-year term, upon the recommendation of the Legislative Delegation of Marlboro County. In case of any vacancy in such office by death, resignation or disqualification, such vacancy shall be filled, for the remainder of the regular term only, by the Governor upon the recommendation of the legislative delegation."

**SECTION 5. Section 21-3515, 1962 Code, amended — annual budget.**—Section 21-3515 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3515. On or before July first of each year, the board of education shall prepare a complete budget for the schools of the district for the succeeding school year. This budget shall show proposed expenditures for all purposes, including construction and maintenance of buildings, operation of the transportation system, debt amortization, operation of office of the board of education, incidental school expenses, salaries for all faculty members and employees and such other items as may appear necessary. Proposed expenditures shall be broken down to show the expenditures to be made in the administrative areas. The budget shall be accompanied by a report of expenditures for the current year and for the preceding year, set forth as to be easily compared, together with any statistics and analysis that would contribute to a full and complete understanding of both current and proposed expenditures."

**SECTION 6. Section 21-3516, 1962 Code, amended—submission of budget.**—Section 21-3516 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3516. For the purpose of informing the General Assembly of the financial condition of the school district, this budget shall be submitted to the county legislative delegation at a joint meeting of the board of education and the county legislative delegation which shall be called by the chairman of the board of education on or before July first."

**SECTION 7. Section 21-3517, 1962 Code, amended—tax levies.**—Section 21-3517 of the 1962 Code is amended by striking it out and inserting in lieu thereof the following:

"Section 21-3517. Not later than August first of each year, the board of education shall direct the county auditor to levy and the county treasurer to collect all the millage necessary to meet that portion of the budget to be raised through direct ad valorem taxation, and such direction shall include any special levies which the board may approve under the provisions of Section 21-3514.

The county auditor is hereby authorized and directed to levy, and the county treasurer is hereby authorized and directed to collect all such millage as may be directed in writing by the Marlboro Board of Education, pursuant to appropriate resolution by the board.

It is intended that this section and Sections 21-3515 and 21-3516 shall apply, any other provisions of law to the contrary notwithstanding, to the levy of taxes for school purposes and the preparation of the budget for the School District of Marlboro County, commencing with the fiscal year beginning July 1, 1963."

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R642, S438)

**No. 390**

**An Act To Amend Section 14-400.562 Of The 1962 Code, Relating To Officers, Meetings and Compensation Of The Williamsburg County Industrial Commission, so as to Provide for Certain Expenses, And To Amend Section 14-400.563 Of The 1962 Code, Relating To The Functions Of The Commission, So as to Provide For The Employment Of An Executive Director.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 14-400.562, 1962 Code, amended—officers—meetings—compensation.**—Section 14-400.562 of the 1962 Code is amended by adding at the end the following: "The members shall be paid actual expenses incurred in connection with their official duties." so that when so amended the section shall read as follows:

"Section 14-400.562. The Commission shall elect one of its members as chairman and one as secretary and treasurer. The Commission shall meet on the call of the chairman or a majority of the members.

The Commission shall serve without compensation. The members shall be paid actual expenses incurred in connection with their official duties."

**SECTION 2. Section 14-400.563, 1962 Code, amended—employment of executive director.**—Section 14-400.563 of the 1962 Code is amended by striking in its entirety and inserting:

"Section 14-400.563. The Commission, subject to the approval of a majority of the county legislative delegation, shall employ an Executive Director. The Director shall be paid such compensation as is provided in the annual county appropriation act. The Director shall perform such duties as are directed by the Commission."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R643, S496)

**No. 391**

**An Act To Amend Section 21-2402 Of The 1962 Code, As Amended, Relating To The Board Of School Trustees For Dillon County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 21-2402, 1962 Code, amended—each centralized school district to have board of trustees.**—Section 21-2402 of the 1962 Code, as amended, is further amended to read as follows:

"Section 21-2402. The board of school trustees of each centralized school district established under this article shall be composed of five members to be appointed by the county board of education as now provided by law. The board of trustees of each of the centralized school districts is hereby vested with the power to do all acts necessary to the establishment, maintenance and operation of the schools within the district."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R645, S489)

**No. 392****An Act To Establish An Assessment And Equalization System For Taxation Of Property In Greenwood County.**

Whereas, a program of equalization of assessments for taxation is presently being undertaken in Greenwood County; and

Whereas, it is deemed advisable that such program be validated and be governed by legislative rules and guides so as to enable its orderly and equitable administration. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenwood County—property to be taxed equally and uniformly.**—The function of the local administrative agencies known as the Greenwood County Board of Tax Assessors and the Greenwood County Board of Tax Appeals shall be to insure that all property in the county be placed upon the tax books and valued upon an equal and uniform basis designed to result in uniformity of assessments.

**SECTION 2. Duties of tax assessor.**—The county tax assessor, subject to policies as determined by the board of tax assessors, shall :

(1) Consider the returns and lists laid before the board of assessors by the county auditor, and, if necessary, compare them with the tax returns and lists of the current and previous years;

(2) Seek for and discover all real property in Greenwood County not previously returned by the owners or agents thereof or not listed for taxation by the county auditor and list for taxation in the name of the owner or person to whom it is taxable;

(3) Make a preliminary assessment of the value of all real property in the county and enter it upon the returns and lists furnished by the county auditor for consideration by the board of assessors; and

(4) From time to time reassess taxable property in the county so as to reflect its proper valuation in the light of changed conditions.

**SECTION 3. Maximum value of reassessed property.**—Upon the completion of any reassessment of the taxable property of Greenwood County and the utilization of assessments resulting therefrom, the total value of the reassessed property shall not exceed by more than one per cent the total value of the assessed property prior to the reassessment, excluding, however, such increases in the total value of the assessed property of the county as result from the assessment

of property or improvements not theretofore taxed, and the assessment of new construction and renovations taking place during the reassessment period.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R650, H1875)

**No. 393**

**An Act To Amend Section 65-1523 Of The 1962 Code, Relating To Property Tax Exemptions, So As To Exempt The Lancaster Negro Community Youth Center.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 65-1523, 1962 Code, amended—item added to exempt Lancaster Negro Community Youth Center.**—Section 65-1523 of the 1962 Code is amended by adding a new item, to read as follows:

“( ) The property owned by the Lancaster Negro Community Youth Center in Lancaster County shall be exempt from all levies for county, school and special taxes.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R654, H1947)

**No. 394**

**An Act To Amend An Act Of 1963 Bearing Ratification Number 318, Which Provides For A Referendum Concerning The Creation Of The Converse Area Fire District In Spartanburg County, So As To Change The Date Of The Referendum.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 178 of 1963 amended—referendum concerning establishment of Converse Area Fire District.**—Section 1 of an act of 1963 bearing Ratification Number 318 is

amended by striking the word "June" on the second line and inserting in lieu thereof the word "August" so that, when so amended, it shall read as follows:

"Section 1. The Spartanburg County Commissioners of Election shall conduct a referendum on the second Tuesday in August, 1963, to ascertain the wishes of the qualified electors residing within the proposed Converse Area Fire District on the question of whether or not they favor the establishment of a rural fire district and favor the necessary tax levy.

The commissioners of election shall publish the information relating to the referendum once a week for two consecutive weeks in a newspaper having general circulation in the area."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R655, S454)

**No. 395**

**An Act To Amend Sections 32-301 And 32-303 Of The 1962 Code, Relating To The Kershaw County Health Department And Director, So As To Further Provide For The Director, To Provide For Agreements With Other Counties Concerning Health Matters, And To Provide For Actions Against Absentee Members.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 32-301, 1962 Code, amended—Kershaw County Health Department created—director.**—Section 32-301 of the 1962 Code is amended by striking it and inserting in lieu the following:

"Section 32-301. There shall be created and maintained in the county a county health department under the control and direction of the county board of health acting through a director, who shall be a graduate of a Class A medical college, skilled in hygiene and sanitary science and qualified and trained in the practice of preventive medicine. Such director shall be elected by the board of health from a list of qualified men to be submitted by the State Board of Health, but if for any reason a qualified director is not so elected, the State Board of Health may appoint some qualified person to serve as director until

a director is appointed in accordance with the terms of this article. The director shall serve for such period as he performs satisfactorily the duties of his office and until his successor is elected and qualifies."

**SECTION 2. Agreements with other counties.**—The county board of health may enter into agreements with other counties subject to the approval of the State Board of Health concerning health matters and the employment of a director on a part-time basis.

**SECTION 3. Section 32-303, 1962 Code, amended—meetings of board and reports of director.**—Section 32-303 of the 1962 Code is amended by adding at the end thereof the following: "Any member of the board missing three consecutive meetings shall be reported to the authority which appointed him and the appointing authority shall take action to secure the resignation of such member." When so amended, the section shall read:

"Section 32-303. The county board of health shall meet for the transaction of its business at stated periods not less than once a month and such other times as the chairman or a majority of the board may determine, and at such meetings the director of the health department shall render a report of the activities of his department to the board, and a copy of such report shall be submitted to the governing body of the county and to the city council of the city of Camden. The director shall likewise make such proper reports to the State Board of Health as may be required by law or rules, regulations and orders of the State Board of Health. Any member of the board missing three consecutive meetings shall be reported to the authority which appointed him and the appointing authority shall take action to secure the resignation of such member."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

**An Act To Exempt Certain Property In Berkeley County Owned By The Carolina Low County Girl Scout Council, Inc. From County Property Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Property of Carolina Low County Girl Scout Council in Berkeley County exempt from taxes.**—The property in Berkeley County owned by the Carolina Low County Girl Scout Council, Inc., is hereby exempt from all Berkeley County property taxes.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R658, S461)

**No. 397**

**An Act To Amend An Act Of 1963 Bearing Ratification No. R-129, Relating To The Establishment Of An Assessment And Equalization System For Taxation Of Property In Georgetown County, So As To Increase The Membership Of The Board Of Assessors.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 68 of 1963 amended—Georgetown County Board of Assessors created.**—Section 1 of an Act of 1963 bearing Ratification No. R-129 is amended by striking the word “six” on line 2 and inserting “seven” and by striking on lines 4 and 5 “One member, who is a resident of the tax district,” and inserting “One member shall be appointed from the county at large and one member” so that when so amended the section shall read as follows: “Section 1. There is hereby created the Georgetown County Board of Assessors to be composed of seven appointed members and the County Auditor, ex officio, who shall serve as Chairman of the Board, but can vote only in a tie. One member shall be appointed from the county at large and one member shall be appointed from each of the six tax districts which are created and described herein: Tax District No. 1, that area of Georgetown County lying south of U. S. Hwy. 521 and south and west of the channel of Winyah Bay, excluding the corporate limits of the City of Georgetown and City of Andrews; Tax District No. 2, that area of Georgetown County lying north of U. S. Hwy. 521, excluding the corporate limits of the City of Georgetown and the City of Andrews and is south of the run of Black Mingo Creek, Black River and Pee Dee River to where it

joins Winyah Bay; Tax District No. 3, that area of Georgetown County which lies west of Waccamaw River and north of the run of Black Mingo Creek, Black River and Pee Dee River where it joins Winyah Bay; Tax District No. 4, that area of Georgetown County which lies east of Waccamaw River and north and east of the channel of Winyah Bay; Tax District No. 5, that area of the county within the corporate limits of the City of Georgetown and any future expansion of the city limits; Tax District No. 6, that area of the county within the corporate limits of the City of Andrews and any future expansion of the city limits."

**SECTION 2. Section 2 of Act 68 of 1963 amended—appointments—terms—vacancies.**—Section 2 of an Act of 1963 bearing Ratification No. R-129 is amended by striking the word "six" on line 1 and inserting "seven" and by striking the word "three" on line 5 and inserting "four" so that when so amended the section shall read as follows:

"Section 2. The seven appointed members shall be appointed by the Governor upon the recommendation of a majority of the delegation, including the Senator, of Georgetown County. As soon as practicable after appointment, the board shall meet and draw lots for the initial terms of its members. Three shall be for a term of two years, four shall be for a term of four years, after which their successors shall be appointed for a regular term of four years. When the length of the initial terms is established the chairman shall so notify the Secretary of State. Any vacancy on the board for any reason shall be filled for the unexpired term in the manner of the original appointment."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R659, S499)

**No. 398**

**An Act To Create The Hanahan Park And Playground Commission; To Provide For Its Membership; To Prescribe Its Duties And Powers And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Hanahan Park and Playground Commission created in Berkeley County.**—There is hereby created a commission to

be known as the Hanahan Park and Playground Commission whose territorial jurisdiction shall extend over all that area in Berkeley County known as Hanahan Public Service District as now prescribed by law.

**SECTION 2. Members — terms — vacancies.**—The commission shall be composed of five members, three of whom shall be appointed by a majority of the commissioners of the Hanahan Public Service District and two of whom shall be appointed by a majority of the board of trustees of the Hanahan attendance area. The members shall be appointed for two year terms and any vacancy shall be filled for the unexpired term.

**SECTION 3. Powers and duties.**—The commission may do all acts and things necessary to a full enjoyment of the powers vested in it by this act. It may enter into contracts for matters and things germane to its purposes and may execute and deliver deeds of conveyance of property acquired by it. The commission shall have, in addition to the power to sell and convey real estate owned by it, the power to exchange such real estate when it deems it advisable.

**SECTION 4. Powers and duties further.**—The commission may lay out, create, develop and enlarge the system of parks and playgrounds for the use and benefit of the residents, inhabitants and institutions within its jurisdictional area. It shall have charge of all parks and playgrounds within the area. It may also supervise, regulate, operate and manage any buildings within such area constructed by the Federal Government, or agencies thereof, and designed for recreational purposes. It may contract with the Federal Government, or its agencies, with respect to the management, maintenance and operation thereof.

**SECTION 5. Rules and regulations—penalties.**—The commission may promulgate reasonable rules and regulations with respect to the use of such parks, playgrounds and recreational centers and the violation of any such regulation that has been approved by the governing body of Berkeley County shall be a misdemeanor, punishable by a fine of not exceeding ten dollars or imprisonment for not exceeding ten days or both.

**SECTION 6. Exempt from taxes.**—Any and all property, whether real or personal, owned and held by the commission within this area shall be exempt from all taxation by the State or any of its political subdivisions.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R661, H1899)

**No. 399**

**An Act To Provide That The Honea Path Police Department Of The City Of Honea Path In Anderson County Shall Have Police Jurisdiction In The Honea Path Recreation Area At Hartwell Lake.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Law enforcement for Honea Path Recreation Area.**—The police department of the City of Honea Path in Anderson County shall have law enforcement jurisdiction in that area known as the Honea Path Recreation Area, located on the South Carolina side of Hartwell Lake, which has been leased to the City of Honea Path.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R666, H1907)

**No. 400**

**An Act To Regulate The Construction, Alteration And Servicing Of Septic Tanks And Sewerage Systems In Greenville County, And To Provide Penalties For Violations.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Septic tanks not to be constructed or serviced in Greenville County without a permit.**—No person shall construct, alter or service a septic tank or other sewage disposal system in Greenville County after June 30, 1963, without first having obtained a license therefor from the governing body of the county. The license shall be in such form as may be prescribed by the governing body of the county and shall be issued on an annual basis for a period running from July first through June thirtieth. The fee for the license shall be

twenty-five dollars for residents of the State and fifty dollars for non-residents. The governing body of the county may require a bond before issuing a license in such amounts and with such conditions as it deems proper. Before any license is issued the county health department shall investigate the person seeking the license and shall satisfy itself that he is qualified to construct or alter septic tanks or other sewage disposal systems and service them in a manner which shall promote the health of the people of the county and in accordance with accepted sanitary engineering practices. The provisions of this act shall apply to the construction and maintenance or any alterations to sewage disposal systems whether they be for domestic or industrial waste.

**SECTION 2. Exemptions.**—The provisions of this act shall not apply to any municipality having regulations or ordinances governing sewerage.

**SECTION 3. Penalties.**—Any person convicted of violating the provisions of this act shall be fined not more than one hundred dollars or imprisoned for not more than thirty days for the first offense. Upon conviction of the second and each additional offense punishment shall be in the discretion of the court, but not to exceed imprisonment for six months or a fine of five hundred dollars.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R673, S422)

**No. 401**

**An Act Providing For A Referendum To Determine the Wishes Of The Citizens Of Kershaw County Concerning The Consolidation Of The County Library And The Camden Library, And Providing For The Consolidation If The Vote Is Favorable; Providing For Its Governing Body, Their Terms, Powers And Duties; And To Repeal Sections 42-481 Through 42-489 Of The 1962 Code, Relating To The Kershaw County Library, Under Certain Conditions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Referendum concerning consolidation of Camden and Kershaw County libraries.**—On the first Tuesday in August,

1963, a referendum shall be submitted to the qualified electors of Kershaw County to determine whether or not the citizens desire to consolidate the Camden Library and the County Library. The governing body of the county shall have prepared a sufficient number of ballots and shall appoint the necessary officials to conduct the election. The results of the election shall be canvassed by the governing body or its designated agents, and the results shall be certified to the City Council of Camden and to the county legislative delegation.

**SECTION 2. Date for consolidation if election favorable.**—Should the results of the election be favorable the libraries shall be consolidated on January 1, 1964.

The City of Camden shall make available to the library board the present city library on a twenty-year lease basis.

**SECTION 3. To be governed by a board—members—terms.**—The consolidated libraries shall be governed by a board of seven, who shall be appointed by the Governor. Three of the members shall be recommended by the Camden City Council, three shall be recommended by the county legislative delegation, and one shall be recommended by the above six. After the appointment of the members they shall draw lots to determine the length of their initial terms. Two shall serve for four years, two for three years, two for two years, and one for one year. Thereafter, all terms shall be for four years.

**SECTION 4. Powers and duties.**—The board shall provide and make available to the citizens of Kershaw County good books and informational material. The board shall establish a headquarters library and may establish branches and units in various communities and operate one or more bookmobiles over routes to be determined by the board.

**SECTION 5. Appropriations.**—The City of Camden shall contribute fifty cents per capita based upon the latest official census toward the expenses necessary for the operation of the consolidated libraries, and Kershaw County shall contribute such other funds as may be necessary, but in no event shall the amount be less than that appropriated for library purposes in the 1962-1963 county appropriations act.

**SECTION 6. Sections 42-481 through 42-489, 1962 Code, repealed, if election favorable.**—Should the vote provided in this act

be favorable, Sections 42-481 through 42-489 of the 1962 Code are repealed, effective January 1, 1964.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R674, S494)

**No. 402**

**An Act To Repeal Act No. 941 Of 1962, Relating To Waterworks Facilities Of The Town Of Blacksburg In Cherokee County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act 941 of 1962 repealed—not to impair obligations of Town of Blacksburg.**—Act No. 941 of the Acts of 1962 is repealed. The repeal of this act shall in no way impair or affect any obligation of the Town of Blacksburg as to moneys borrowed pursuant to Section 5 thereof, and to that extent the town council shall apply the proceeds of any bonds issued pursuant to Sections 59-361 through 59-415 of the 1962 Code.

It is intended by this act to remove all question that might arise as to the unlimited power of the Town Council of the Town of Blacksburg to avail itself of powers granted by the general act above referred to.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of July, 1963.

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(R680, H1951)

**No. 403**

**An Act To Create The Manning Road Rural Community Water District Of Sumter County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Manning Road Rural Community Water District created in Sumter County.**—There is hereby created a body corporate and politic of perpetual succession, to be known as the Manning Road Rural Community Water District of Sumter County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes to the community and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

**SECTION 2. Service area.**—The district shall include and be comprised of the following territory, which shall be known as the service area:

North, beginning at a point in the intersection of Pocalla Swamp and Turkey Creek and following Turkey Creek across U. S. Highway # 521 to a point in the center of intersection of Turkey Creek and the A.C.L. Railroad to Manning.

East, by the A.C.L. Railroad to Manning for 5,000 feet to a point in the center of the intersection of the A.C.L. Railroad and a line to the south and parallel to Turkey Creek.

South, by a line south and parallel to Turkey Creek with a constant distance of 5,000 feet to a point in the center of the intersection of this line and Pocalla Swamp.

West, by Pocalla Swamp for 5,000 feet to the intersection with Turkey Creek.

**SECTION 3. District to be managed by a board.**—The district shall be operated and managed by a board of directors to be known as the "Manning Road Rural Community Water District Board of Sumter County" which shall constitute the governing body of the district.

The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Sumter County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of this area and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week, giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

**SECTION 4. Powers and duties.**—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limiting the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.

(12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.

(13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.

(14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.

(15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

(16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

(17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.

(18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. *Provided*, however, that the power of eminent domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its power of eminent domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor of Sumter County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all

obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems within Sumter County beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by the system, as constructed, im-

proved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Fiscal year—audit and annual report.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Sumter County and with the Legislative Delegation of Sumter County.

**SECTION 8. Unlawful acts—penalties.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 9. Public bodies may purchase water from district.**—The municipalities of Sumter County and all public bodies and public agencies now or hereinafter operating water distribution systems in Sumter County shall be fully empowered to enter into contracts to

buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R684, H1914)

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**No. 404**

**An Act To Establish Wards At Crescent Beach, Ocean Drive Beach, And Areas Proposed To Be Annexed In Horry County; To Provide For The Election Of Members Of Council From Such Wards; And To Provide For A System Of Municipal Government And Laws In The Event Of A Consolidation Of The Municipalities Of Crescent Beach And Of Ocean Drive Beach And Of Annexation Of Property Adjacent Thereto, And To Repeal Act No. 922 Of 1962.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Ward system of government if areas annexed and consolidated.**—In the event of the consolidation of the Town of Ocean Drive Beach and the Town of Crescent Beach, and the annexation of certain areas adjacent thereto into a single municipal corporation, such municipality, when so consolidated and enlarged, shall have a ward system of government as hereinafter provided.

**SECTION 2. Wards defined.**—The municipality resulting from the combined consolidation and annexation shall be divided into four wards, which shall be designated as Wards One, Two, Three and Four, the boundaries of which shall be as set out below:

(a) Ward One: Beginning at a point on the Atlantic Ocean opposite the western margin of Temple Avenue (or the street formed at the junction of Baldwin and Temple Avenues), thence running in a general northwestwardly direction to and along the western margin of said street to the center of Temple Avenue with its junction at Baldwin Avenue; thence along the center of Temple Avenue, and a projection thereof in a general northwestwardly direction to the northern margin of Intra Coastal Waterway; thence along the northern margin

of the Intra Coastal Waterway in a general eastwardly direction to the center line of U. S. Highway No. 17; thence along the center line of U. S. Highway No. 17 in a general southwardly direction to the boundary line between Ocean Drive Beach and Cherry Grove Beach; and thence following that boundary line to the Atlantic Ocean; thence along the Atlantic Ocean to the beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary the center line of U. S. Highway No. 17 and the town limits of Cherry Grove Beach; the southward line the Atlantic Ocean; and the westward line Ward Two. This may also be identified as the Ocean Drive Ward.

(b) Ward Two: Beginning at a point on the Atlantic Ocean opposite the western margin of Temple Avenue (or the street formed at the junction of Baldwin and Temple Avenues), thence running in a general northwestwardly direction to and along the western margin of such street to the center of Temple Avenue at its junction with Baldwin Avenue; thence along the center of Temple Avenue, and a projection thereof in a general northwestwardly direction to the northern margin of Intra Coastal Waterway; thence along the northern margin of the Intra Coastal Waterway in a general westwardly direction to a point which is located as being a projection of the western boundary line of the Crescent Beach town limits; thence in a general southwardly direction along this projection of the Crescent Beach limits and the actual and existing limits of Crescent Beach to the Atlantic Ocean; thence eastwardly along the Atlantic Ocean to the point of beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary is Ward One; its southern boundary is the Atlantic Ocean; and the Western boundary of the present limits of Crescent Beach and a projection thereof to the Intra Coastal Waterway. This may also be identified as the Crescent Beach Ward.

(c) Ward Three: Beginning at a point on the Atlantic Ocean at the western limits of the Town of Crescent Beach and running thence northwardly along the western town limits of Crescent Beach across U. S. Highway No. 17 to the rear or northern line of the original Atlantic Beach tract; thence westwardly along the rear or northern line of the Atlantic-Pearl Beach tracts to the original western boundary of the Atlantic-Pearl Beach tracts; thence southwardly along that western boundary, and also along the eastern boundary of the original Windy Hill Beach tract to the Atlantic Ocean; and thence

eastwardly along the Atlantic Ocean to the point of beginning. This ward shall have as its eastern boundary Ward Two, the existing Crescent Beach town limits western boundary, and any projection thereof which may be necessary to extend to the rear line of the Atlantic-Pearl Beach tracts; as its northern boundary Ward Four, the dividing line being the northern line of the Atlantic-Pearl Beach tracts; as its western boundary Ward Four, the Atlantic-Pearl Beach tracts boundary and the Windy Hill boundary being the line; and as its southern boundary the Atlantic Ocean. This may also be identified as the Atlantic Beach Ward.

(d) Ward Four: Beginning at a point on the northern margin of the Intra Coastal Waterway opposite the projection of the western boundary line of the Town of Crescent Beach and running in a general southwardly direction along such course to the rear or northern line of the Atlantic Beach tract; thence along that line westwardly to the western line of the Atlantic Beach tract; and thence along the western line of the Atlantic Beach tract to the Atlantic Ocean; thence westwardly along the Atlantic Ocean to a point opposite the western margin of Lewis Road, or a projection thereof; thence along the western margin of Lewis Road to a point opposite the northern boundary of Second Street; thence from that point eastwardly and along the northern boundary of Second Street to the western boundary of Harrison Road and its combination with Windy Hill Road; thence along the western margin of such Harrison Road and projection of Windy Hill Road in a general northwardly direction to U. S. Highway No. 17; thence continuing across such highway along a projection of the western margin of Harrison Road to the northern edge of the Intra Coastal Waterway; thence along the northern edge of the Intra Coastal Waterway to the point of beginning. This ward shall have as its northern boundary the northern margin of the Intra Coastal Waterway canal prism; its eastern boundary a portion of Ward Two and Ward Three; its southern boundary the Atlantic Ocean; and westwardly by lands of Lewis and others. This may also be identified as the Windy Hill Beach Ward.

**SECTION 3. To be governed by a council.**—The municipality thus created by such consolidation and annexation shall be governed by a council consisting of the mayor, who shall be elected at large, and by seven councilmen, two to be elected from Wards One, Two and Four and one to be elected from Ward Three and only the qualified voters residing within a ward shall be entitled to vote for

the members of council chosen from that ward, and shall not be entitled to participate in the voting for councilmen from the other wards.

**SECTION 4. Election of mayor and councilmen.**—Upon certification by the Secretary of State that the consolidation and annexation have taken place, the Horry County Commissioners of Election shall, as soon as practicable, order the holding of an election for the purpose of choosing mayor and councilmen for the new municipality and wards.

**SECTION 5. Governing body and laws during transition.**—During the interval between the completion of the consolidation-annexation and such date as the newly constituted municipal government shall prepare and adopt ordinances or a municipal code, the governing body and the laws of the newly created municipality shall be such as may have been agreed upon between the councils of the Towns of Crescent Beach and of Ocean Drive Beach as an incident to the consolidation of municipalities, and any laws enacted by such governing body subsequent to the consolidation-annexation and prior to the adoption of a new municipal code or ordinances by the succeeding municipal government chosen under the provisions of this act.

**SECTION 6. Choice of name may be voted on.**—In any election which may be held on the proposed annexation or consolidation, or both, the Commissioners of Election for Horry County may make provision for submitting to the voters the matter of choice of a name for the new municipality.

**SECTION 7. Upon consolidation only, area to have two wards.**—Should there be a vote favorable to consolidation of the Towns of Crescent Beach and of Ocean Drive Beach, but not favorable to annexation—or should there be held an election on the question of consolidation of the two municipalities without the annexation of additional territory, then the newly formed municipality shall be divided into two wards: one comprising the present limits of Ocean Drive Beach, and the other comprising the present limits of Crescent Beach; two councilmen shall be elected from each such ward and a mayor at large in the same manner provided in Section 4 of this act; and provision may likewise be made for the selection of a name as provided in Section 6 of this act.

**SECTION 8. Act 922 of 1962 repealed.**—Act No. 922 of 1962 is hereby repealed.

**SECTION 9. When act to become effective.**—This act shall become effective upon due certification by the appropriate authority to the Secretary of State that a vote in favor of the consolidation of Ocean Drive Beach and of Crescent Beach, together with an annexation of the territory adjacent thereto, and upon recognition by the office of the Secretary of State of the results of such election or of the filing of results of the election in that office.

**SECTION 10 Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R685, H1952)

**No. 405**

**An Act To Create The Boulevard Rural Community Water District Of Sumter County And To Prescribe Its Area and Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Boulevard Rural Community Water District created in Sumter County.**—There is hereby created a body corporate and politic of perpetual succession to be known as the Boulevard Rural Community Water District of Sumter County (hereinafter called the district). It shall be the purpose and function of the district to acquire, construct and operate a water works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to provide a flow of water through pipes to the community, and to such other domestic, commercial or industrial users who can be conveniently and economically served within or without the service area as herein provided. To this end the district shall perform the functions prescribed by this act, and shall be vested with the powers herein granted and all other powers that may be necessary or incidental in carrying out the functions herein prescribed and exercising the powers herein granted. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system.

**SECTION 2. Service area.**—The district shall include and be comprised of the following territory which shall be known as the service area:

North by the School district line separating districts 2 and 17 and running from the A. C. L. Railroad to Charleston, to the Boulevard Road. East by Boulevard Road running from the school district line separating districts 2 and 17 to Chessley Jones Creek.

South by Chessley Jones Creek running from the Boulevard Road between the Brunson and McElveen property to the A. C. L. Railroad to Charleston.

West, the A. C. L. Railroad to Charleston running from Chessley Jones Creek to school district line dividing districts 2 and 17.

**SECTION 3. District to be managed by a board.**—The district shall be operated and managed by a board of directors to be known as the Boulevard Rural Community Water District Board of Sumter County, which shall constitute the governing body of the district. The board shall consist of five resident electors of the area who shall be appointed by the Governor, upon the recommendation of a majority of the Sumter County Legislative Delegation, including the Senator. The delegation shall recommend only such persons as were nominated at a meeting of the residents of this area and certified to the delegation by the chairman and secretary of the meeting. The meeting shall be advertised in a local newspaper for at least one week giving the time and place of the meeting. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee. All terms after the initial appointments shall be for six years. All appointees shall hold office until their successors shall have been appointed and qualified. The initial terms of office shall begin as of the effective date of this act. Any vacancy shall be filled in like manner as the original appointment for the unexpired portion of the term. Immediately after appointment, the board shall meet and organize by election of one of its members as chairman, one as vice chairman, one as secretary and one as treasurer. The offices of the secretary and treasurer may be combined in the discretion of the board.

**SECTION 4. Powers and duties.**—The district, acting through its governing body, is hereby vested with all such powers as may be necessary or incidental to carry out its purposes, functions and responsibilities including, but without limiting the following:

- (1) To have perpetual succession.
- (2) To sue and be sued.
- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To contract for or otherwise acquire a supply of water and sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.
- (15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (16) To make use of county and state highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-ways shall approve.
- (17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all of the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.
- (18) To alter and change county and state highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.

(19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148 of the 1962 Code as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. *Provided*, however, that the Power of Eminent Domain conferred hereunder shall not extend to such property of any public utility as the utility could have acquired under its Power of Eminent Domain.

(20) To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Sumter County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682 of the 1962 Code as now or hereafter constituted, it being the intent of this provision

that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities, and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that its bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporation trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or other types of securities.

(e) Dispose of bonds, notes or other evidence of indebtedness at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and their consequences may be waived.

(23) To extend its system or systems, within Sumter County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission, or like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—(1) Bonds, notes or other evidence of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows: "The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, and municipal and other taxation whatsoever under the laws of the State of South Carolina."

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Fiscal year—audit and annual report.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be prac-

ticable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report of the district shall be filed with the Auditor and Treasurer of Sumter County, and with the Legislative Delegation of Sumter County.

**SECTION 8. Unlawful acts—penalties.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 9. Public bodies may purchase water from district.**—The municipalities of Sumter County and all public bodies and public agencies now or hereafter operating water distribution systems in Sumter County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R686, H1884)

No. 406

**An Act To Amend Section 15-1631.12 Of The 1962 Code Relating To Appeals To The Civil And Criminal Court Of Horry, So As To Make Further Provision Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 15-1631.12, 1962 Code, amended—appellate jurisdiction.**—Section 15-1631.12 of the 1962 Code is amended to read as follows:

“Section 15-1631.12. The Civil and Criminal Court of Horry shall have appellate jurisdiction concurrent with the court of common pleas to hear and determine appeals:

(1) From the South Carolina Industrial Commission or other administrative boards or bodies within the State; and

(2) From judgments rendered by the magistrates’ or city recorders’ courts.

The proceedings on such appeals shall be as is now provided for appeals from the last-mentioned tribunals to the court of common pleas.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R687, H1536)

**No. 407**

**An Act To Amend Section 27-422, As Amended, And Section 27-702 Of The 1962 Code, Relating To Fees In Worthless Check Cases And Fees Of The Sheriff, Sheriff's Deputy And County Policemen In Horry County, So As To Further Provide Therefor, And To Add Section 27-424.1 To The 1962 Code, So As To Provide Fees In Worthless Check Cases In Horry County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Item (2) of Section 27-422, 1962 Code, amended—Horry County deleted.**—Item (2) of Section 27-422 of the 1962 Code is amended by striking out the word “Horry” on line 1 so that when amended the item shall read as follows:

“(2) In Barnwell, Cherokee, Edgefield, Florence, Hampton, Lee and Sumter Counties, magistrates one dollar and constables or sheriff (except that no such charge shall be made by the sheriff in Hampton County) two dollars and mileage as provided in item (10) of Section 27-451; and”.

**SECTION 2. Item (16) of Section 27-702, 1962 Code, amended—fee for serving bad check warrants.**—Item (16) of Section 27-702 is amended by striking out the words “notices or” on line 1, by striking out the words “one dollar” on line 1 and inserting in lieu thereof “two dollars” and by striking out the words “one dollar” on

lines 1 and 2 and inserting in lieu thereof "two dollars", so that when amended the item shall read as follows:

"(16) For serving bad check warrants, two dollars and two dollars in lieu of mileage."

**SECTION 3. Issuance of warrants for bad checks—compromises.**—In Horry County no magistrate shall issue a warrant for violation of Section 8-176 of the 1962 Code, unless the check shall have been presented to the drawee for payment and the check shall have been dishonored. No such warrant shall be issued unless written notice shall have been given to the drawer by mailing same to his last known address at least seven days prior thereto; *provided*, that no check may be compromised, after issuance of the warrant, between the parties unless sworn testimony shall have been presented to the magistrate in the presence of the accused, which testimony must show probable cause for the issuance of the warrant.

In the event of a compromise of such check, the cost of written notice shall be computed by the magistrate and added to the principal sum of the check; *provided*, that in the event of a compromise between the parties, there shall be a two dollar cost for the magistrate and a three dollar cost for the service of the warrant, the sums to be paid by the defendant.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of July, 1963.

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(R219, H1464)

**No. 408**

**An Act To Extend The Turkey Hunting Season In Hampton County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Turkey season for Hampton County.**—Notwithstanding any other provisions of law, the season for hunting turkeys in Hampton County shall be from March fifteenth to April fifteenth.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

**PART II**  
**LOCAL AND TEMPORARY**

(327, H1599)

**No. 409**

**A Joint Resolution Proposing An Amendment To Section 22 Of Article V Of The Constitution Of This State Relating To Juries In Civil And Criminal Courts, So As To Provide That The Civil Petit Jury Of The County Court Of Greenville Shall Consist Of Twelve Men.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Amendment to Article V, Section 22, State Constitution, proposed—number of jurors for County Court of Greenville.**—There is hereby proposed the following amendment to Section 22 of Article V of the Constitution of this State: add the following proviso at the end thereof to read as follows:

*“Provided, that the civil petit jury of the County Court of Greenville shall consist of twelve men.”*

**SECTION 2. Submission to electors.**—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: “Shall Section 22 of Article V of the Constitution of this State be amended so as to increase the size of the civil petit jury of the County Court of Greenville from six to twelve men?”

In favor of the amendment ☐

Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘In favor of the amendment,’ and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words ‘Opposed to the amendment.’”

Ratified the 9th day of May, 1963.

(R472, S319)

## No. 410

**An Act To Make Supplemental Or Additional Appropriations And Regulations For The Operation Of The State Government During The Fiscal Year 1962-63, To Authorize The S. C. State Highway Department To Make A Certain Disbursement From Department Funds, And To Authorize The Superintendent Of Education To Borrow Money For The Construction Of A Dormitory at the South Carolina Area Trade School In Lexington County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1**

The following sums of money, if so much be necessary, are hereby appropriated out of the General Fund of the State to supplement appropriations heretofore made for the operation of the State government during the fiscal year 1962-63 and for such other purposes as may be set forth herein.

**SECTION 2**

## Legislative Department

|  |    |            |
|--|----|------------|
| Item 1. The Senate :                                   |    |            |
| Mileage .....  | \$ | 4,890.00   |
| Approved Accounts .....                                |    | 75,966.00  |
| Item 2. House of Representatives :                     |    |            |
| Mileage .....  | \$ | 11,535.00  |
| Approved Accounts .....                                |    | 74,981.00  |
| Item 3. Special Services for Both Houses :             |    |            |
| Approved Accounts .....                                | \$ | 4,817.00   |
| Item 4. Codification of Laws and Legislative Council : |    |            |
| Approved Accounts .....                                | \$ | 8,000.00   |
|  |    | <hr/>      |
| Total (Legislative Department) .....                   | \$ | 180,189.00 |

**SECTION 3**

## Judicial Department

A-1. *Salaries:*

|   |    |           |
|---|----|-----------|
| Circuit Judge .....                       | \$ | 15,500.00 |
| Circuit Stenographer .....                |    | 7,696.00  |
| Circuit Judge—Secretarial Help, Etc. .... |    | 3,000.00  |

|   |              |
|---|--------------|
| B-2. Travel .....                           | 2,000.00     |
| Official Expense—Circuit Stenographer ..... | 300.00       |
| <hr/>                                       |              |
| Total (Judicial Department) .....           | \$ 28,496.00 |

**SECTION 4**

## Attorney General

|   |             |
|---|-------------|
| Legal Asst.—habeas corpus .....   | \$ 6,000.00 |
| <i>Provided, That the above appropriation shall be for the fiscal year 1963-64.</i> |             |
| Circuit Solicitors—Salary and Expense Allowance .....                               | 10,500.00   |

**SECTION 5**

## John de la Howe School

|   |              |
|---|--------------|
| To provide an adequate water supply ..... | \$ 53,840.00 |
|---|--------------|

**SECTION 6**

## State Department of Corrections

|                                     |               |
|-------------------------------------|---------------|
| Operation of the Penitentiary ..... | \$ 106,000.00 |
|-------------------------------------|---------------|

**SECTION 7**

## Industrial School for Negro Girls

|  |              |
|--|--------------|
| For construction of homes for the superintendent and staff members ..... | \$ 30,000.00 |
|--|--------------|

**SECTION 8**

## State Budget and Control Board

## Retirement Division:

|  |               |
|--|---------------|
| Employer contributions for the police retirement account (1962-63) ..... | \$ 160,000.00 |
|--|---------------|

**SECTION 9**

## State Forestry Commission

|  |              |
|--|--------------|
| For construction of building at Chester State Park ..... | \$ 24,000.00 |
|--|--------------|

**SECTION 10**

State Committee for Technical Education

To provide additional and matching funds for special schools, technical services and technical educational centers .....\$ 250,000.00

**SECTION 11**

S. C. State Highway Department

The South Carolina State Highway Department is hereby authorized to reimburse from highway department funds W. R. Griffith, Highway Patrolman, the sum of \$1,060.00 as refund for amount paid by Patrolman Griffith to Vollie B. Shelley and Clifford M. Boyd in settlement of damage claim resulting from accident which occurred on March 18, 1961 in Horry County and involving Patrolman Griffith while in discharge of his duties.

**SECTION 12**

South Carolina Opportunity School

For Engineering Study .....\$ 2,500.00  
*Provided, That any unexpended balance in this appropriation at the close of the fiscal year 1962-1963 may be carried forward and expended for the same purposes in the year 1963-1964.*

**SECTION 13**

State Educational Finance Commission

For the purchase of school buses .....\$ 2,100,000.00

**SECTION 14**

Pineland, A State Training School and Hospital

For maintenance, supplies, equipment and personnel .....\$ 50,000.00  
*Provided, That any unexpended balance in this appropriation at the close of the fiscal year 1962-1963 may be carried forward and expended for the same purposes in the year 1963-1964.*

**SECTION 15**

## Superintendent of Education's Office

The State Superintendent of Education is hereby authorized to borrow from the State Sinking Funds for the account of the South Carolina Area Trade School, the sum of one hundred fifty thousand dollars for the construction of dormitory or housing facilities at the South Carolina Area Trade School in Lexington County.

For repayment of the loan there is hereby pledged the tuition and registration fees collected by the South Carolina Area Trade School in Lexington County. The terms of the loan shall be determined by the State Budget and Control Board.

Upon the consummation of the loan, the Superintendent of the Area Trade School, under general supervision of the State Budget and Control Board, is authorized to proceed with the construction of the facilities.

**SECTION 16**

## University of South Carolina

For Scientific Equipment .....\$ 150,080.00  
*Provided*, That any unexpended balance in this appropriation at the close of the fiscal year 1962-1963 may be carried forward and expended for the same purposes in the year 1963-1964.

**SECTION 17**

## Miscellaneous Appropriations

Litigation and other expense in connection with the court ordered admission of Harvey Gantt to Clemson College, to be disbursed by the Attorney General upon presentation to him of proper claims therefor. (To June 30, 1963) .....\$ 40,000.00

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GRAND TOTAL .....\$ 3,191,605.00

All acts or parts of acts inconsistent herewith are repealed.  
This act shall take effect upon approval by the Governor.  
Approved the 5th day of June, 1963.

(R164, S117)

**No. 411**

**A JOINT RESOLUTION To Create A Committee To Study The Election Laws Of The State And To Recommend Such Changes To The General Assembly As The Committee May Deem Desirable, And To Provide Funds Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Committee created.**—There is hereby created a committee of thirteen members to be appointed as follows: five shall be appointed from the membership of the Senate by the President of that body; five shall be appointed from the membership of the House of Representatives by the Speaker of that body; and three shall be appointed by the Governor. The committee shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman. Thereafter, the committee shall meet on the call of the chairman or a majority of its members.

**SECTION 2. To study election laws.**—The committee shall make a study of the election laws of the State and shall report to the 1963 Session of the General Assembly with all convenient speed. The report of the committee shall include such recommendations for changes in the State election laws as it may deem necessary.

**SECTION 3. Compensation.**—The members of the committee shall be allowed such per diem, mileage and subsistence as is authorized by law for members of commissions, committees and boards.

**SECTION 4. Appropriation.**—There is hereby appropriated from the General Fund of the State the sum of fifteen hundred dollars which shall be paid out on vouchers signed by the chairman of the committee.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of March, 1963.

(R316, S288)

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**No. 412**

**A Joint Resolution To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Act No. 931 Of 1956, Act No. 452 Of 1957, Act No.**

**986 Of 1958, Act No. 328 Of 1959, Act No. 895 Of 1960, Act No. 445 Of 1961, And Act No. 998 Of 1962, To Study The Forestry Problems Of The State.**

Whereas, a joint committee was appointed pursuant to Act No. 373 of 1955 to study the forest fire problems of the State; and

Whereas, the committee was continued by Act No. 931 of 1956, Act No. 452 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, Act No. 895 of 1960, Act No. 445 of 1961, and Act No. 998 of 1962; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved; and

Whereas, the forestry industry and woods products have an annual value of many millions of dollars and are second only to the textile industry in economic importance to South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Committee to study forestry problems continued.**

—The committee appointed pursuant to Act No. 373 of 1955 and continued by Act No. 931 of 1956, Act No. 452 of 1957, Act No. 986 of 1958, Act No. 328 of 1959, Act No. 895 of 1960, Act No. 445 of 1961, and Act No. 998 of 1962, to study the forestry problems of this State shall be continued and the committee shall report its findings at the session of the General Assembly of 1964. Members of the committee shall receive per diem and mileage as provided by law for members of State boards, commissions and committees.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R410, S299)

**No. 413****A Joint Resolution To Continue The Committee Created Under H-2706 Of 1962 To Study The Establishment Of A State-wide Program To Control Juvenile Delinquency, And To Make Appropriations Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Committee to study program to control juvenile delinquency continued.**—The committee created under H-2706 of

1962, to study the establishment of a statewide program to control juvenile delinquency, is hereby continued.

The committee shall report its findings and recommendations at the beginning of the 1964 session of the General Assembly.

**SECTION 2. Appropriation.**—There is hereby appropriated from the General Fund of the State the sum of two thousand dollars, if so much be necessary, to pay the expenses of the committee.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R523, S63)

**No. 414**

**A Joint Resolution To Continue The Work Of The Committee Appointed Pursuant To Senate Resolution 279 Of 1961, And Continued By Senate Resolution 612 Of 1962, To Study The Feasibility Of Revising The Insurance Laws Of This State.**

Whereas, a joint committee was appointed pursuant to Senate Resolution 279 of 1961, and continued by Senate Resolution 612 of 1962, to study the feasibility of revising the insurance laws of this state; and Whereas, the committee has not completed its work due to the many complex and innumerable problems involved. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Committee to study insurance problems continued.**—The committee created by the General Assembly in 1961, pursuant to Senate Resolution 279 of 1961, and continued by Senate Resolution 612 of 1962, to study the feasibility of revising the insurance laws of this state, shall continue to make such study and report its findings and recommendations to the General Assembly as soon after the convening of the 1964 session as is practicable.

**SECTION 2. Appropriation.**—The sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the general funds of the State to cover the expenses of the committee in making its study and preparing its report. Members of the committee shall receive a per diem of ten dollars and the travel allowance allowed to other persons engaged in the business of the state

when performing the exercise of their duties as members of the committee. All warrants drawn upon the appropriation made in this section shall bear the signature of the committee chairman.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R571, H1472)

**No. 415**

**A Joint Resolution To Extend The Time For Making A Report To The General Assembly On The Uniform Commercial Code To 1964.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Time to report extended.**—The time for making a full report to the General Assembly on the proposed Uniform Commercial Code is extended so that the report shall be made to the General Assembly not later than ten days after the convening of the session of 1964.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R364, S317)

**No. 416**

**An Act To Amend Act No. 1008 Of The Acts Of The General Assembly Of The State Of South Carolina, 1962, Which Authorizes The Board Of Trustees Of Winthrop College To Borrow Not Exceeding Two Million Dollars With Which To Acquire Additional Student Housing Facilities, By Modifying The Purposes For Which The Board Of Trustees Of Winthrop College May Borrow The Two Million Dollars Authorized By Act No. 1008.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—By Act No. 1008 of the Acts of the General Assembly of the State of South Carolina,

1962, the Board of Trustees of Winthrop College (the trustees) are authorized to borrow not exceeding two million dollars for the purpose of acquiring student housing facilities, as therein defined, by the issuance of bonds payable from the entire revenue derived by Winthrop College from all student housing facilities which it may now or hereafter possess or utilize, as therein prescribed. The General Assembly has ascertained that an expenditure of two million dollars is urgently required to provide for:

(a) The construction of a complex building, consisting of dormitories and a student cafeteria; and

(b) For renovation and improvement to existing student facilities. The question has arisen as to whether Section 4 of Act No. 1008 as enacted permits the use of the proceeds of the bonds for the constructing and equipping of a cafeteria. To remove such question, the General Assembly has determined to amend Act No. 1008 of 1962 in such manner as to permit the issuance of the two million dollars of bonds authorized thereby for the aforesaid purposes.

**SECTION 2. Section 4 of Act 1008 of 1962 amended—Winthrop College may borrow money—use of proceeds.**—Section 4 of Act No. 1008 shall be amended by adding at the end of Section 4 the following: "*Provided*, that for the purposes of this act a building, including both dormitory and cafeteria facilities, shall be deemed to provide housing, auxiliary, and related facilities, within the meaning of this act." so that Section 4 when so amended shall read as follows:

"Section 4. To the end that the trustees may acquire such additional student housing facilities, the trustees shall be permitted to borrow, in addition to the loan evidenced by the bonds described in Section 1, from time to time, not exceeding in the aggregate, two million dollars, as well as such further sum as the trustees may determine to borrow for the purpose of refunding all or any part of the outstanding revenue bonds of Winthrop College. So much of the proceeds of the loans herein authorized as shall not be required to retire outstanding bonds shall be used in the construction, reconstruction, and equipping of dormitories and buildings designed for student housing, and auxiliary, and related facilities, to be located on lands owned by Winthrop College. Such buildings, when constructed, shall be used for the purpose of providing housing, and auxiliary and related facilities, for students of Winthrop College. *Provided*, that for the purposes of this act a building, including both dormitory and cafeteria facilities, shall be deemed to provide

housing, auxiliary, and related facilities, within the meaning of this act.”

**SECTION 3. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

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(R569, H1422)

**No. 417**

**An Act To Amend Act No. 1013 Of The Acts And Joint Resolutions Of The General Assembly Of 1962 Which Authorizes The State Commission Of Forestry To Borrow A Sum From The Division Of Sinking Funds And Property To Finance The Construction Of Certain Buildings, So As To Increase The Amount Authorized To Be Borrowed To Four Hundred Thousand Dollars.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. State Commission of Forestry may borrow money—terms—security.**—Act No. 1013 of 1962 is amended by striking out the words “three hundred twenty” in line 3 of Section 1 and inserting in lieu thereof the words “four hundred”, so that when so amended Section 1 of the act shall read as follows:

“Section 1. The State Commission of Forestry is hereby authorized to borrow from the Division of Sinking Funds and Property the sum of four hundred thousand dollars, if so much be necessary, to finance the construction of a central office building, warehouse, and repair shops on Commission owned property near Columbia. The term of such loan shall not exceed seven years and the loan shall be secured by a note signed by the Chairman of the State Commission of Forestry.”

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R226, H1252)

**No. 418****An Act To Authorize The Adjutant And Inspector General To Borrow Funds For The Construction Of Armories.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Adjutant and Inspector General may borrow money.**—The Adjutant and Inspector General is authorized to borrow funds, not in excess of one hundred thousand dollars, from the Division of Sinking Funds and Property for construction of new armories pending the sale of obsolete armories as authorized by Act No. 989 of 1962. No such loan shall be made until a bona fide enforceable offer for the sale of any such armory has been received from a reliable person and such offer has been reviewed by the State Budget and Control Board.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R562, H1806)

**No. 419****An Act To Authorize The Adjutant And Inspector General To Deed Certain Property In Oconee County To The Clemson Agricultural College Of South Carolina.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Adjutant General to convey property to Clemson Agricultural College.**—The Adjutant and Inspector General of the State of South Carolina is hereby authorized and directed to execute in behalf of and in the name of the State of South Carolina a deed conveying to The Clemson Agricultural College of South Carolina the following real estate in consideration of the lease of other real estate :

All that certain lot or parcel of land, situate in Clemson Township, Oconee County, State of South Carolina, containing three and seventeen one-hundredths (3.17) acres, more or less, and having such metes, bounds, courses and distances as shown by plat of J. L. Murph, dated May 10, 1949, and attached hereto and made a part of this deed, and more particularly described

as follows: Commencing at a brass plate set in concrete located  $5-20^{\circ}-27'W$ , 546.8' from brass plug set in rock bed of branch shown as starting point of survey by H. E. Glenn of June, 1930. Said brass plate being in Northwest corner of tract; thence  $S-5^{\circ}-45'-E$  460.0 ft. to brass plate set in concrete (corner No. 2); thence  $N-84^{\circ}-15' E$  300.0 ft. to brass plate set in concrete (corner No. 3); thence  $N-5^{\circ}-45'W$ , 460.0 ft. to brass plate set in concrete (corner No. 4); thence  $S-84^{\circ}-15'W$ . to starting point. Said tract bound on all sides by property of Clemson Agricultural College and having an area of 3.17 acres, more or less. This being a part of the real estate purchased by the Grantor from Floride Isabella Lee by deed recorded in the office of Clerk of Court of Oconee County, S. C. on June 13, 1894 in deed book "R", pages 175, 176 and 177.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R64, H1174)

**No. 420**

**An Act To Authorize The Officials Of The South Carolina School For The Deaf And The Blind To Use Certain Funds For Its Aphasic Program.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School for Deaf and Blind may use certain funds.**—The officials of the South Carolina School for the Deaf and the Blind are authorized to use excess funds from the 1962 appropriation for replacement of boilers and housing therefor, and funds received for an easement granted to Colonial Pipeline Company for the aphasic school program.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R65, H1175)

**No. 421****An Act To Authorize The Board Of Commissioners Of The South Carolina School For The Deaf And The Blind To Convey A Right-of-Way Easement To Colonial Pipeline Company And To Provide For The Application Of The Consideration For The Conveyance.**

Whereas, the Board of Commissioners of The South Carolina School for the Deaf and the Blind agreed to execute a right-of-way easement to Colonial Pipeline Company, and has executed an easement by instrument dated August 23, 1962, upon certain terms and conditions as set forth therein; and

Whereas, one of the conditions is that an act be passed by the General Assembly authorizing and approving the action of the board in granting the easement upon the terms and conditions therein set forth. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Conveyance of right-of-way easement by School for Deaf and Blind.**—The Board of Commissioners of The South Carolina School for the Deaf and the Blind is authorized to convey a right-of-way easement to Colonial Pipeline Company, and the action of the board in executing a right-of-way easement dated August 23, 1962, is hereby ratified and approved, upon the terms and conditions agreed upon by the board, as to the real property described as follows:

A permanent right of way and easement forty (40) feet in width, and lying on the east side of South Carolina Highway No. 56 along the northern property line of the property of South Carolina School for the Deaf and the Blind at Cedar Springs, and extending from South Carolina Highway No. 56 in an easterly direction to the property of Mrs. Nelia D. Walker, said right of way being parallel to and adjoining the northern property line of the property of Grantor, the center line of said easement being shown as lying twenty (20) feet south of and parallel to the northern property line of the Grantor on the plat of Colonial Pipeline Company, dated June 25, 1962. Also, during the period of construction of said pipeline only, an additional easement twenty (20) feet in width and lying to the south of the permanent easement herein granted, which additional easement together with the permanent easement shall include an easement sixty (60) feet in width, upon the express condition and provision that upon

completion of construction the temporary easement shall be terminated and ended and the Grantee shall have a permanent easement for forty (40) feet in width, as indicated on said plat. This is a part of the property conveyed to the State of South Carolina by deed of N. Pinckney Walker recorded in Deed Book HH at page 79, R. M. C. Office for Spartanburg County, and shown on plat recorded in Plat Book 33 at pages 258-259, said R. M. C. Office.

**SECTION 2. Consideration.**—The consideration for the conveyance in the amount of twenty-five thousand dollars shall be paid to the institution, and in accord with the terms agreed upon by the board. The Attorney General shall deliver the certified check in that amount which he holds in escrow for the institution.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R171, H1082)

**No. 422**

**An Act To Authorize The Sale Of Certain Land In Richland County By The South Carolina State Hospital To Ebenezer Holiness Baptist Church And To Provide For The Disposition Of The Proceeds Of The Sale.**

Whereas, the Ebenezer Holiness Baptist Church, located near Killian in Richland County, desires to purchase ninety-four one hundredths of an acre of land which adjoins the church and is owned by the South Carolina State Hospital; and

Whereas, an independent real estate appraiser has determined that the present value of the property is three hundred and seventy-six dollars; and

Whereas, the property is more specifically described on a plat prepared for Ebenezer Holiness Baptist Church by B. P. Barber and Associates, dated August 22, 1962, which plat is to be recorded in the office of the Clerk of Court of Richland County; and

Whereas, the South Carolina Mental Health Commission recommends that the property be sold with a reverter clause in the deed providing that the property shall revert to the South Carolina State Hospital if it is not used for general church purposes; and

Whereas, it is recommended by the South Carolina Mental Health Commission that the proceeds of the sale be credited to the State Hospital Chapel Building Fund. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. State Hospital may sell certain property.**—The South Carolina State Hospital may sell to the Ebenezer Holiness Baptist Church ninety-four one hundredths of an acre of land for the purchase price of three hundred seventy-six dollars. The deed conveying the property shall contain therein a reverter clause providing that the property shall revert to the South Carolina State Hospital if the property should at any time cease to be used for general church purposes. The proceeds of the sale shall be credited to the South Carolina State Hospital Chapel Building Fund.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R346, H1541)

**No. 423**

**An Act To Validate The Sale Of A Highway Right-Of-Way By Whitten Village And To Provide For The Expenditure Of The Proceeds Of The Sale.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Sale of right-of-way by Whitten Village validated.**—The sale of the right-of-way by Whitten Village to the South Carolina State Highway Department for use as a part of the Interstate 26 System is hereby validated. The proceeds of the sale shall be used for permanent improvements at Whitten Village as proposed by the Board of Trustees of Whitten Village, subject to the approval of the State Budget and Control Board.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R63, H1173)

**No. 424****An Act To Authorize The Secretary Of State To Issue A Duplicate Charter To The South Carolina Dental Association.**

Whereas, the South Carolina Dental Association was issued a charter by the Secretary of State, dated December 10, 1869, which reflected the officers as being A. B. Wardlaw, President; J. B. Patrick, Vice-President and T. T. Moore, Secretary and Treasurer, and

Whereas, the original charter has been lost, and

Whereas, many records of that time are missing from the office of the Secretary of State, among which are those pertaining to the South Carolina Dental Association. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Duplicate charter may be issued for S. C. Dental Association.**—The Secretary of State is authorized to issue a duplicate charter to the South Carolina Dental Association which shall reflect the date of the original charter to be December 10, 1869 and the original officers being A. B. Wardlaw, President; J. B. Patrick, Vice-President and T. T. Moore, Secretary and Treasurer.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R476, H1720)

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**No. 425****An Act To Grant A Charter To The South Carolina Academy Of Science And To Ratify All Prior Actions And Acts Of The Academy.**

Whereas, the South Carolina Academy of Science was founded in 1924 at Columbia, South Carolina; and

Whereas, the organization is affiliated with the American Association for the Advancement of Science; and

Whereas, the Academy has as its purpose the promotion and advancement of science in South Carolina through encouraging research in the study of science by providing for the presentation of the results of scientific investigations and by other means which it deems advisable; and

Whereas, the Academy presents annual awards to encourage science studies; and

Whereas, the Academy has not been granted or has lost its charter. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter granted to South Carolina Academy of Science.**—A Charter is hereby granted to the South Carolina Academy of Science, a nonprofit organization with no capital stock, with all rights, powers, privileges and immunities, and subject to all the limitations and liabilities conferred by Chapter 13, Title 12, of the 1962 Code, and acts amendatory thereto, to provide for the incorporation of religious, educational, social, fraternal or charitable churches, lodges, societies, associations, or companies, and for amending the charters of those already formed and to be formed. The purposes shall be the promotion and advancement of science in South Carolina through encouraging research in the study of science by providing for the presentation of the results of scientific investigations, the presentation of annual awards to encourage science studies, and by such other means as the Academy deems advisable.

**SECTION 2. Office and officers.**—The principal office of the Academy shall be at Wofford College in Spartanburg, S. C., and the officers are: President, Dr. J. C. Loftin, of Wofford College; President-elect, W. C. Worthington, of the Medical College of S. C.; Vice-President, C. S. Patterson, of Furman University; and Secretary-Treasurer, R. W. Rutledge, of Clemson Agricultural College of South Carolina.

**SECTION 3. Prior actions ratified.**—All prior acts and actions of the Academy are hereby ratified and validated.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

**An Act To Authorize The Secretary Of State To Restore The Charter Of White Oak Fishing Club.**

Whereas, the General Assembly on January 22, 1963, by concurrent Resolution No. H-1105, pursuant to the requirements of the Constitu-

tion of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the White Oak Fishing Club. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter of White Oak Fishing Club may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of the White Oak Fishing Club, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R149, S161)

**No. 427**

**An Act To Authorize The Secretary Of State To Restore The Charter To The Loris Manufacturing Company, Inc.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Loris Manufacturing Company, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter of Loris Manufacturing Co. may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of the Loris Manufacturing Company, Inc. upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R150, S162)

**No. 428**

**An Act To Authorize The Secretary Of State To Restore The Charter To The Aynor Manufacturing Company, Inc.**

Whereas, the General Assembly, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Aynor Manufacturing Company, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Charter of Aynor Manufacturing Co. may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of the Aynor Manufacturing Company, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R178, H1397)

**No. 429**

**An Act To Authorize The Secretary Of State To Restore The Charter To Chrislev Corporation.**

Whereas, the General Assembly, by concurrent resolution pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Chrislev Corporation. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter of Crislev Corporation may be restored.**

—Authority is hereby granted to the Secretary of State to restore the charter of Chrislev Corporation upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the cancelled charter, and the clerk of court shall note the same upon the record of the original charter, and thereupon the charter shall be reinstated and all acts of the corporation during its period of cancellation shall be as effective as if the charter had never been cancelled.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R477, H1766)

**No. 430**

**An Act To Authorize The Secretary Of State To Restore The Charter Of City Auto Wash, Inc.**

Whereas, the General Assembly, by a Concurrent Resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of City Auto Wash, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter of City Auto Wash, Inc. may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of City Auto Wash, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

(R582, H1755)

**No. 431****An Act To Authorize The Secretary Of State To Restore The Charter Of "Your Loan Company."**

Whereas, the General Assembly by Concurrent Resolution No. H-1213, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of "Your Loan Company." Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Charter of "Your Loan Company" may be restored.**

—Authority is hereby granted to the Secretary of State to restore the charter of "Your Loan Company", upon payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R622, H1886)

**No. 432****An Act To Authorize The Secretary Of State To Restore The Charter Of "Tidewater Improvement And Development Corporation."**

Whereas, the General Assembly by Concurrent Resolution No. H-1819 pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of "Tidewater Improvement and Development Corporation." Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Charter of Tidewater Improvement and Development Corporation may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of "Tidewater Improve-

ment and Development Corporation," upon payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R638, H1903)

**No. 433**

**An Act To Authorize The Secretary Of State To Restore The Charter Of Bardale Realty, Inc.**

Whereas, the General Assembly by concurrent resolution, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of Bardale Realty, Inc. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charter of Bardale Realty, Inc. may be restored.**—Authority is hereby granted to the Secretary of State to restore the charter of Bardale Realty, Inc., upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstatement of the forfeited charter, and the clerk of court shall note the reinstatement upon the record of the original charter.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R56, H1187)

**No. 434****An Act To Make A Supplemental Appropriation For Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby appropriated from the general fund of Abbeville County the sum of three hundred thousand dollars or so much thereof as may be necessary for the fiscal year July 1, 1962 to June 30, 1963, which shall be in addition to the Abbeville County Appropriation Act. Such money shall be used for county purposes, including reworking and remodeling the county courthouse and the county farm (prison camp), and erecting new buildings if necessary; for paying indebtedness on road machinery and for purchasing new equipment for county roads and bridges; and for industrial development, in conjunction with the county planning research and development board or the county water authority, if such is found desirable.

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R357, H1689)

**No. 435****An Act To Amend Section 1 Of Act No. 780 Of 1928, Relating To The Board Of Trustees Of The Abbeville County Memorial Hospital, So As To Increase The Membership Of The Board And To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1 of Act 780 of 1928 amended—Board of Trustees for Abbeville County Memorial Hospital—appointments—terms—vacancies.**—Section 1 of Act No. 780 of 1928 is amended by striking it out and inserting in lieu thereof the following:

"Section 1. The Board of Trustees of the Abbeville County Memorial Hospital shall be composed of seven members as follows: one member shall be a licensed medical doctor and shall be appointed by the staff of the Abbeville County Memorial Hospital, whose term shall expire December 31, 1968; one shall be appointed from the county at large by the Abbeville County Legislative Delegation, whose

term shall expire December 31, 1968; one shall be appointed by the governing body of the City of Abbeville, and shall reside within one of the following voting precincts: Abbeville Nos. 1, 2, 3 and 4, Abbeville Shops, Abbeville Mill, Central, Cold Springs, and Lebanon; one shall be appointed by the governing body of the Town of Donalds, and shall reside within the following voting precincts: Donalds, Hall's Store, Broadmouth, and Rock Springs; one shall be appointed by the governing body of the Town of Due West, and shall reside within the following voting precincts: Due West, Antreville, Level Land, Hampton, Hillville, and Keowee; one shall be appointed by the governing body of the Town of Lowndesville, and shall reside within the following voting precincts: Lowndesville Nos. 1 and 2, and Mountain View; and one shall be appointed by the governing body of the Town of Calhoun Falls, who shall reside within the following voting precincts: Calhoun Falls Nos. 1 and 2, and Watts.

The terms of the five members to be appointed by the governing bodies of the four towns and one city shall expire December 31, 1964. Commencing in 1964, the successors to these five members shall be nominated in the primaries and elected in the general election at the same time such elections are held for Members of the House of Representatives in 1964. The terms of all members shall be for four years and until their successors are elected or appointed and qualify, except that the members first elected from the Abbeville area, the Due West area, and the Calhoun Falls area, shall serve for two years only. Thereafter their terms shall be for four years. Each member of the board shall be a qualified elector of the area he represents. All vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term only. In the event that no one offers in any election, such vacancy shall be filled in the manner of the original appointment. The members of the board shall receive no compensation or mileage for their services. No member of the board shall transact any business with the Abbeville County Memorial Hospital either directly or indirectly."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R460, H1799)

## No. 436

**An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The Auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriations herein made for the fiscal year beginning July 1, 1963, and ending June 30, 1964. There is hereby appropriated from the General Fund of Abbeville County the following sums for the following purposes:

## ITEM A. SALARIES:

|  |             |
|--|-------------|
| Auditor .....                            | \$ 1,400.00 |
| Clerk to Auditor .....                   | 2,700.00    |
| Treasurer .....                          | 1,400.00    |
| Clerk to Treasurer .....                 | 2,700.00    |
| Sheriff .....                            | 4,200.00    |
| Assistant Jailor to Sheriff .....        | 400.00      |
| Four Deputy Sheriffs at \$3,900.00 ..... | 15,600.00   |
| Tax Collector .....                      | 4,200.00    |
| Travel Expense, Tax Collector, etc. .... | 500.00      |

*Provided*, the above shall be paid by order of the Supervisor, and two sub-supervisors and the County Legislative Delegation, upon an itemized and verified claim of Tax Collector, not exceeding in any one month one-twelfth of the total allowance for the twelve months.

|  |          |
|--|----------|
| Supervisor .....                         | 4,200.00 |
| Clerk to Board .....                     | 2,700.00 |
| County Commissioners (2) @ \$500.00 .... | 1,000.00 |
| Clerk of Court .....                     | 4,200.00 |
| Assistant to Clerk of Court .....        | 2,700.00 |
| Judge of Probate .....                   | 4,200.00 |
| Clerk to Judge of Probate .....          | 2,700.00 |

|                       |              |
|-----------------------|--------------|
| Coroner .....         | 500.00       |
| County Attorney ..... | 480.00       |
| <hr/>                 |              |
| Total .....           | \$ 55,780.00 |

## ITEM B. COURT EXPENSES:

|                            |             |
|----------------------------|-------------|
| Jurors and Witnesses ..... | \$ 8,000.00 |
|----------------------------|-------------|

*Provided*, that jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of \$7.50 per day. *Provided*, further, that the jury boy shall receive \$5.00 per day and the court crier and bailiff shall receive \$7.50 per day.

## Magistrates' Courts:

|                     |          |
|---------------------|----------|
| Abbeville .....     | 1,900.00 |
| Donalds .....       | 300.00   |
| Due West .....      | 300.00   |
| Calhoun Falls ..... | 575.00   |
| Lowndesville .....  | 300.00   |
| Diamond Hill .....  | 300.00   |

## Constables:

|   |          |
|---|----------|
| Donalds .....                             | 290.00   |
| Due West .....                            | 290.00   |
| Calhoun Falls .....                       | 435.00   |
| Lowndesville .....                        | 290.00   |
| Diamond Hill .....                        | 290.00   |
| Lunacies, Post Mortems and Inquests ..... | 1,250.00 |

*Provided*, that the Sheriff shall serve civil and criminal papers pertaining thereto. In the event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation; *provided*, further that the examining physicians be paid \$10.00 each per examination.

|   |        |
|---|--------|
| Liaison Officer between Solicitor and Sheriff<br>(upon approval of the County Legislative Delegation) ..... | 600.00 |
|---|--------|

|             |              |
|-------------|--------------|
| <hr/>       |              |
| Total ..... | \$ 15,120.00 |

## ITEM C. PUBLIC OFFICERS:

|   |                   |
|---|-------------------|
| Printing, postage and stationery .....  | \$ 5,000.00       |
| Telephone and telegraph, courthouse and<br>phones of other county officials, twelve, if so<br>much be necessary ..... | 1,500.00          |
| Premiums of county bonds and recording of<br>same .....   | 1,200.00          |
| Total .....   | <hr/> \$ 7,700.00 |

## ITEM D. PUBLIC HEALTH:

|   |                    |
|---|--------------------|
| Mental Health Clinic (upon authorization of<br>County Legislative Delegation) if so much<br>be needed .....   | \$ 3,000.00        |
| County Health Unit, if so much be necessary,<br>for use by the County Health Department in<br>carrying on proper health program to be<br>agreed upon by the County Legislative Del-<br>egation and the State Board of Health..... | 11,000.00          |
| Rent on Health Clinic at Donalds, S. C., pay-<br>able \$25.00 per month, beginning the first day<br>of July, 1963 .....   | 300.00             |
| Rent on Health Clinic at Antreville, \$12.00 per<br>month .....   | 144.00             |
| Total .....   | <hr/> \$ 14,444.00 |

## ITEM E. PUBLIC BUILDINGS:

|   |                   |
|---|-------------------|
| Janitor—Courthouse .....                        | \$ 1,500.00       |
| Water, heat, lights, supplies for janitor ..... | 4,500.00          |
| Insurance .....                                 | 2,200.00          |
| Total .....                                     | <hr/> \$ 8,200.00 |

## ITEM F. SPECIALS:

|   |           |
|---|-----------|
| Board of Education .....                                    | \$ 800.00 |
| (upon the approval of the County Legislative<br>Delegation) | .         |
| Board of Equalization .....                                 | 600.00    |
| (upon the approval of the County Legislative<br>Delegation) | .         |
| Clerk—Board of Registration .....                           | 240.00    |

|   |           |
|---|-----------|
| (upon the approval of the County Legislative Delegation)  |           |
| Abbeville County Service Officer—monthly basis .....  | 1,320.00  |
| (upon the approval of the County Legislative Delegation)  |           |
| Cost of service and maintenance of Mobile Telephone Service for the Law Enforcement Department of the County, under the supervision of the Sheriff .....                                      | 1,000.00  |
| Abbeville County Memorial Hospital .....  | 15,000.00 |
| Payable to Abbeville County Memorial Hospital \$1,250.00 at the end of each month beginning July 1, 1963.   |           |
| <i>Provided</i> , that the sum appropriated for the Abbeville County Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization. |           |
| Auditing Books for Abbeville County .....   | 2,000.00  |
| (upon the approval of the County Legislative Delegation)  |           |
| Civil Air Patrol .....  | 600.00    |
| (for county-wide services)  |           |
| Civil Defense .....   | 1,500.00  |
| (for county-wide services)  |           |
| Contingent Fund .....   | 15,000.00 |
| Treasurer, Abbeville County Library Association .....   | 3,300.00  |
| To be used by the Abbeville County Library Association, payable \$275.00 per month at the end of each month beginning July 1, 1963.   |           |
| Chairman of the Finance Committee, Abbeville County Public Library .....  | 1,800.00  |
| (located in the City of Abbeville, Abbeville, S. C., to be used for library purposes on monthly basis)  |           |
| Extra Clerical Work in office of Clerk of Court during sessions of court .....  | 300.00    |
| (payable upon the approval of the County Legislative Delegation)  |           |

|   |              |
|---|--------------|
| Company Commander, 263rd Signal Co., Abbeville, S. C. ....  | 1,400.00     |
| American Legion Commander, American Legion Post No. 72, Calhoun Falls, S. C., and Auxiliary ..... | 300.00       |
| (upon the approval of the County Legislative Delegation)  |              |
| Abbeville American Legion, Post No. 2 ....  | 200.00       |
| (upon the approval of the County Legislative Delegation)  |              |
| South Carolina Retirement System, County's Part .....   | 2,000.00     |
| Social Security, County's Part .....  | 2,000.00     |
| Treasurer, Abbeville County Council of Boy Scouts .....   | 150.00       |
| Treasurer, Girl Scouts .....  | 200.00       |
| Lunch Room program .....  | 900.00       |
| (upon the approval of the County Legislative Delegation)  |              |
| Secretary to Farm and Home Demonstration Agents .....   | 240.00       |
| (payable \$20.00 per month, beginning July 1, 1963)   |              |
| County Agent:   |              |
| Stamps .....  | 35.00        |
| Telephone .....   | 45.00        |
| Soil Sample Containers .....  | 15.00        |
| Monthly expense for County Agent .....  | 300.00       |
| (\$25.00 per month)   |              |
| Girls' 4-H Club Work .....  | 100.00       |
| Boys' 4-H Club Work .....   | 100.00       |
| Home Demonstration Agent—supplies .....   | 75.00        |
| Girls' Future Homemakers of America—expenses .....  | 150.00       |
| Boys' Future Farmers of America, expenses .....   | 200.00       |
| Forestry .....  | 1,200.00     |
| (upon the approval of the County Legislative Delegation)  |              |
| Total .....   | \$ 53,070.00 |

## ITEM G. JAIL EXPENSES:

|   |             |
|---|-------------|
| Including dieting of prisoners and janitor ..   | \$ 4,500.00 |
| Lights and water .....  | 400.00      |
| Fuel .....  | 750.00      |
| Repairs to automobile, gas and oil for Sheriff  | 2,000.00    |
| <i>Provided</i> , that claims for gas and oil are to be paid monthly and before such claims shall be paid as valid claims against the county, the Sheriff must take an oath that the gas and oil consumed was used only in the enforcement of criminal law.   |             |
| <i>Provided</i> , further, that the jailor shall diet all prisoners in his care and the janitor at one dollar and twenty-five cents per day each. All accounts for dieting of prisoners and the janitor shall be presented, duly attested, to the supervisor and sub-supervisor, and by them allowed or rejected. |             |
| Deputy sheriff's uniforms, to be bought on the authorization of the County Legislative Delegation .....   |             |
|   | 600.00      |
| Total .....   | \$ 8,250.00 |

## ITEM H. COUNTY HOME AND FARM:

|   |           |
|---|-----------|
| Chaplain and funeral expenses .....   | \$ 600.00 |
| The supervisors and sub-supervisors are given authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer, ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation. All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County unless otherwise authorized by the County Legislative Delegation. |           |
| Total .....   | \$ 600.00 |

## ITEM I. ROADS AND BRIDGES:

Maintenance of roads and bridges and purchasing of new road machinery and trucks, under jurisdiction of supervisor and sub-supervisors ..... \$ 65,750.00

Total ..... \$ 65,750.00

## ITEM J. INTEREST, ETC.:

Interest on county indebtedness ..... \$ 1.00

Total ..... \$ 1.00

## ITEM K. PUBLIC WELFARE:

To pay Abbeville County Department of Public Welfare for use as an emergency fund payable on the order of the County Board of Public Welfare ..... \$ 1,000.00

*Provided*, that no payment shall exceed the sum of \$25.00 to any one family or person.

Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare ..... 600.00

*Provided*, that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to attend the clinics provided by Abbeville County Health Department.

Abbeville County Department of Public Welfare—for office supplies ..... 100.00

Abbeville County Department of Public Welfare, for one additional clerical worker, payable \$150.00 per month, beginning July 1, 1963 ..... 1,800.00

County Director of Public Welfare, supplemental salary, payable \$30.00 per month, beginning July 1, 1963 ..... 360.00

Public welfare members (3), payable \$5.00 per month, beginning July 1, 1963 ..... 270.00

Each member of Public Welfare Staff, Social Workers, expense account—four members

|  |              |
|--|--------------|
| \$120.00 each, payable \$10.00 per month, beginning July 1, 1963 .....   | 480.00       |
| Each member of Public Welfare Staff, Clerical Workers—three members \$120.00 each, payable \$10.00 per month, beginning July 1, 1963 ..... | 360.00       |
| Total .....  | \$ 4,970.00  |
| ITEM L. MISCELLANEOUS .....  | \$ 1.00      |
| Total .....  | \$ 1.00      |
| GRAND TOTAL .....  | \$233,886.00 |
| Less Estimated Revenue Other Than Taxes:   |              |
| Road Tax .....   | \$ 1,300.00  |
| Income Tax .....   | 30,000.00    |
| Liquor Tax .....   | 18,500.00    |
| Beer and Wine Tax .....  | 4,800.00     |
| Gas Tax .....  | 65,750.00    |
| Bank Tax .....   | 1,800.00     |
| Insurance License Fees .....   | 11,700.00    |
| Fines and Fees .....   | 33,800.00    |
| Forestry .....   | 12,900.00    |
| Total .....  | \$180,550.00 |

TOTAL TO BE RAISED BY TAXATION \$ 53,336.00

**SECTION 2.** The sub-supervisors shall have equal authority in county matters with the supervisor; *provided*, that the statement of affairs of the county shall be posted on the bulletin board in front of the courthouse and published in the newspapers as now provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided*, that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided*, further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter during the calendar year.

**SECTION 3.** The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the

schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purpose in the manner fixed by law and in keeping with the budget submitted.

**SECTION 4.** The administrative Superintendent of the School System of Abbeville County on the fifteenth day of each month shall file with School District No. 60 of the county a statement showing the amount of monies on hand to the credit of the school district, and the county treasurer shall file with the supervisor, on the fifteenth day of each month a statement showing the amount on hand to the credit of the county.

**SECTION 5.** The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

**SECTION 6.** The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided*, that the transfer of any of the items may be made by the written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

**SECTION 7.** If, owing to the nonpayment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall not be sufficient funds available for the full payment of the notes executed by the county board to secure the loans for the fiscal year 1962-63, ending June 30, 1963, then in that case the county govern-

ing board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same, such board being the supervisor and sub-supervisors.

**SECTION 8.** Any unexpended balance in any department, at the end of the fiscal year 1962-63, with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1963-64, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same.

**SECTION 9.** The Abbeville County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

**SECTION 10.** The county legislative delegation is hereby authorized and empowered to secure the services of a certified public accountant to make an audit of the county books for the fiscal year 1963-1964, such year beginning July 1, 1963.

**SECTION 11.** In the event the county needs legal advice of any sort, then the Abbeville County Legislative Delegation shall employ an attorney of its choice and shall pay for such legal advice from the contingent fund.

**SECTION 12.** The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne conveyances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1963, shall be turned over to the county treasurer as provided by Act No. 7 of the Acts of 1935 and Act No. 655 of the Acts of 1936.

**SECTION 13.** The Abbeville County Delegation may add new items to Item L, Miscellaneous, and transfer from the Contingent Fund, for the payment thereof.

**SECTION 14.** The supervisor and the sub-supervisors are hereby prohibited from entering into a contract for the county whereby any legal counsel is employed to prosecute or defend any suit in the State, county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having

first obtained the written consent of the Abbeville County Legislative Delegation.

**SECTION 15.** The Abbeville County Legislative Delegation is hereby authorized and empowered to pay to the members of the Forestry Committee, or any other members of a committee authorized by legislation, meeting during the fiscal year 1963-1964, ending June 30, 1964, the sum of seven dollars and fifty cents per day from the Contingent Fund under Item F; *provided*, however, none of the committee shall be paid for more than twelve meetings during the fiscal year 1963-64.

**SECTION 16.** All authorizations for transfers for the 1962-1963 Appropriations Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

**SECTION 17.** The county governing board of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

**SECTION 18.** Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum, shall be payable one year from date, and shall be signed by the chairman and the members of the county governing board.

**SECTION 19.** The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

**SECTION 20.** The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1963-1964 beginning July 1, 1963, for Abbeville County.

**SECTION 21.** No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

**SECTION 22.** All purchases made by any of the officials of Abbeville County exceeding the sum of two hundred fifty dollars shall be submitted for bids and shall be approved by the Abbeville County Legislative Delegation.

**SECTION 23.** All gasoline used by the Sheriff's Department will be supplied from the tank at the Abbeville County Farm. At the time any gasoline is pumped from the tank and oil furnished, the same shall be signed for by the party getting the gasoline or oil at the fueling place. In case there should be an emergency on the road, then the Sheriff's Department is permitted to purchase gasoline and oil and furnish an itemized statement for same.

**SECTION 24.** Any necessary expenses incurred by the Legislative Delegation pertaining entirely to county business will be reimbursed out of the contingent fund by furnishing the supervisor with a statement of expenditures.

**SECTION 25.** All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Abbeville County are subject to the right and authority of the County Legislative Delegation to alter, increase or deduct therefrom at any time, when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and to conform with the revenue expected during the life of this act. All surplus funds resulting from unused appropriations may be transferred to the contingent fund, and the contingent fund is to be used and paid out at the direction of the County Legislative Delegation as set forth hereinabove.

**SECTION 26.** In order to effect the payment of the principal and interest of the outstanding Road Improvement Bonds of Abbeville County maturing on June first in the years 1964, 1965 and 1966, the treasurer shall set apart in a special fund the aggregate of all sums to become due by way of principal and interest on such bonds, and shall thereafter transfer to the general fund of the county any surplus in the special sinking fund set up for the payment of these bonds and other bonds, it having been found that the payments thus made will discharge in full all sums due by Abbeville County for principal and interest of all bonds of Abbeville County to be outstanding after July 1, 1963.

**SECTION 27.** The records pertaining to the business of Abbeville County shall be open to inspection by any member of the County Legislative Delegation or to any citizen of Abbeville County.

**SECTION 28.** Each agency or department of the county shall keep an up-to-date stock record of all properties or goods purchased with appropriated funds, a copy of which shall be filed with the clerk of court at the end of each fiscal year.

**SECTION 29.** Each agency or department of the county receiving appropriated funds shall, at the end of each fiscal year, file with the clerk of court an accounting as to the use of such funds. This accounting shall be available for examination or inspection by the citizens of Abbeville County.

**SECTION 30.** This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R610, S457)

**No. 437**

**An Act To Amend An Act Of 1963 Bearing Ratification No. 56, Relating To A Supplemental Appropriation For Abbeville County, So As To Further Provide For The Expenditure of Such Appropriation.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** An Act of 1963 bearing Ratification No. 56 is amended by adding thereto the following new section:

"Section 1-A. If any of the funds appropriated pursuant to the provisions of this act are not expended during the fiscal year 1962-63, such funds may be carried over and expended during the fiscal year 1963-64."

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R202, S163)

**No. 438**

**An Act To Authorize The Board Of Education Of Aiken County To Issue Not Exceeding Three Hundred Thousand Dollars Of General Obligation Bonds Of The School District Of Aiken County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that there exists in the School District of Aiken County a need for school facilities for Grades 7 through 12 in the vicinity of New Ellenton. It has therefore determined to authorize the Aiken County Board of Education as constituted by Chapter 17, Title 21, of the 1962 Code (hereinafter called the "board") as the governing agency of the School District of Aiken County, to expend for construction and equipping of facilities in the vicinity of New Ellenton to the extent of three hundred thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the school district.

**SECTION 2. Bond issue authorized for School District of Aiken County.**—In order to obtain funds for the purposes set forth, the board is hereby authorized to issue not exceeding three hundred thousand dollars of general obligation bonds of the School District of Aiken County. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further public school facilities.

(d) If any balance remain, it shall be held by the Treasurer of Aiken County in a special fund and used to effect the retirement of the bonds authorized hereby.

**SECTION 3. Issue.**—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the

board; *provided*, that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Aiken County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

**SECTION 4. Execution.**—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

**SECTION 5. Sale.**—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

**SECTION 6. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 7. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District of Aiken County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Aiken County, and collected by the Treas-

urer of Aiken County, a tax without limit on all taxable property in the school district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 8. Action required by board.**—Any action required of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided*, that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

**SECTION 9. Repeal—not to affect certain bond issue.**—All acts or parts of acts inconsistent herewith are hereby repealed, but the provisions of this section shall not affect or repeal the authorizations set forth in legislation in pari materia, entitled “A Bill to Authorize the Board of Education of Aiken County to Issue not Exceeding One Million Two Hundred Fifty Thousand Dollars of General Obligation Bonds of the School District of Aiken County; to Prescribe the Conditions Under Which the Bonds May Be Issued and the Purposes for Which Their Proceeds May Be Expended; and To Make Provision For the Payment of the Bonds.”

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

**An Act To Authorize The Board Of Education Of Aiken County To Issue Not Exceeding One Million Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District Of Aiken County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that there exists in the School District of Aiken County a need for further capital improvements as defined in Section 21-972 of the 1962 Code to accommodate pupils attending the public schools. It has therefore determined to authorize the Aiken County Board of Education as constituted by Chapter 19, Title 21, of the 1962 Code (hereinafter called the "board") as the governing agency of the School District of Aiken County to expend for capital improvements to the extent of one million two hundred fifty thousand dollars or such lesser sum as may, upon the occasion of the issuance of the bonds, be determined to be within the constitutional limits applicable to the school district.

**SECTION 2. Bond issue authorized for School District of Aiken County.**—In order to obtain funds for the purposes set forth, the board is hereby authorized to issue not exceeding one million two hundred fifty thousand dollars of general obligation bonds of the School District of Aiken County. The proceeds derived from the sale of the bonds may be used to pay the expenses of capital improvements incurred since January 1, 1963, and the remainder shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further public school facilities.

(d) If any balance remain, it shall be held by the Treasurer of Aiken County in a special fund and used to effect the retirement of the bonds authorized hereby.

**SECTION 3. Issue.**—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board; *provided*, that no bonds shall be issued later than two years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the board, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed

not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the board may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Aiken County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such places as the board may likewise prescribe.

**SECTION 4. Execution.**—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board shall prescribe.

**SECTION 5. Sale.**—The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

**SECTION 6. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 7. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District of Aiken County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Aiken County, and collected by the Treasurer of Aiken County, a tax without limit on all taxable property in the school district sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 8. Action required by board.**—Any action required of the board may be taken at any meeting of the board, regular or special,

and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act. *Provided*, that any action required of the board concerning the issuance of the bonds provided for in this act shall be voted on favorably by a majority of the members.

**SECTION 9. Repeal—not to affect certain bond issue.**—All acts or parts of acts inconsistent herewith are hereby repealed, but the provisions of this section shall not affect or repeal the authorizations set forth in legislation in *pari materia*, entitled “A Bill to Authorize the Board of Education of Aiken County to Issue Not Exceeding Three Hundred Thousand Dollars of General Obligation Bonds of the School District of Aiken County; to Prescribe the Conditions Under Which the Bonds May be Issued and the Purposes for Which Their Proceeds May Be Expended; and to Make Provision for the Payment of the Bonds.”

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R366, H1177)

**No. 440**

**An Act To Create The County Building Committee For Aiken County; To Establish Its Powers And Duties And To Provide For The Expenditures By The Committee.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. County Building Committee for Aiken County created.**—There is hereby created the County Building Committee for Aiken County, which shall be composed of seven members to be appointed by a majority of the county legislative delegation, including the Senator.

**SECTION 2. Duties.**—The committee shall make a complete study of the need and the feasibility of the following: construction of a county office building to house county offices; renovation of the present courthouse; construction of a new county jail; and construction of

such other public offices and buildings in the county as may be necessary to meet the present and future needs of the county with economy and efficiency. The committee shall formulate plans with estimates of costs and time necessary to complete such plans. It shall investigate land sites and estimate land requirements with costs, and shall make a complete survey of present and anticipated space requirements of the various departments and agencies of the county government. The committee shall employ, subject to prior approval by a majority of the county legislative delegation, including the Senator, such architects, engineers and clerks as are considered necessary, and shall consult with such county officials and citizens of Aiken County as may be necessary or desirable in order to accomplish the foregoing purposes and to serve reasonably foreseeable needs for such county facilities in the future.

**SECTION 3. Organizational meeting—final report.**—As soon as practical after appointments, members of the committee shall meet upon the call of a majority of the Aiken County Legislative Delegation, including the Senator, for the purpose of organizing said committee. The committee members shall organize by electing from among themselves a chairman, a secretary and such other officers as the committee members shall deem necessary or appropriate. Thereafter the committee shall meet upon call of the chairman or a majority of the members thereof. The chairman shall notify the Legislative Delegation for Aiken County of the time and place of the first meeting to be held after the organizational meeting aforesaid and the delegation may sit with the committee at such meeting in order to discuss with the committee members the needs of the county for building construction and renovation, any work which may have been planned in connection therewith, and to convey to the committee any ideas and suggestions which the delegation may have. Upon the completion of the work of the committee, which shall be not later than January 15, 1964, a complete report shall be made to the legislative delegation of the county, including such recommendations and plans as the committee shall deem proper. In making such report full consideration shall be given not only to all instructions contained in this act, but also to any other facts or circumstances which the committee may believe pertinent in furthering the needs of the county in such matters. Such report of the committee shall be advisory.

**SECTION 4. Expenditures.**—Such reasonable expenses as may be incurred by the committee members themselves and for the services

of architects, engineers, clerks and for such other purposes as may be necessary shall be paid from the general fund of the county upon prior approval thereof by a majority of the county legislative delegation, including the Senator.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

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(R536, S473)

**No. 441**

**An Act To Amend Act No. 934 Of The Acts Of 1956, Relating To The Warrenville Water And Sewer District In Aiken County, So As To Provide For Its Governing Body.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Commission — members — terms — vacancies.**—  
—Section 2 of Act No. 934 of the Acts of 1956 is amended by striking in its entirety and inserting in lieu the following:

“Section 2. The district shall be operated and managed by a commission to be known as “Warrenville Water and Sewer District Commission.” The commission shall consist of three resident electors of the district, who shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Aiken County including the Senator. The first members appointed under the provisions of this act shall be appointed for terms of two, four and six years. Thereafter, all terms shall be for six years and until their successors have been elected and qualified. Successors to the Commissioners appointed initially under this Act shall be elected in the general election next preceding the expiration of the term for which each such Commissioner shall have been appointed, commencing with the general election of 1964. Any vacancy occurring prior to an election may be filled by appointment by the Governor upon the recommendation of a majority of the Legislative Delegation of Aiken County including the Senator.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R547, S466)

**No. 442**

**An Act To Create The Montmorenci-Couchton Water And Sewer District In Aiken County; To Define Its Area; To Establish A Governing Commission; To Describe The Functions And Powers Of The District And Its Commission; And To Make Provision For Borrowing By The District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Montmorenci-Couchton Water and Sewer District created—boundaries.**—There is hereby created in Aiken County a district to be known as “Montmorenci-Couchton Water and Sewer District” which shall be a public corporation of perpetual succession and shall have the functions described by this act. The district shall include and be comprised of the following territory :

“Commencing at that point marking the eastmost intersection of South Carolina State Primary Highway 215 and U. S. Highway No. 78; thence in a northerly direction for an approximate distance of 416 feet to a point; thence in an easterly direction for a distance of approximately 7,708 feet to a point on the edge of a county road; thence in a northerly direction along the western edge of said county road for an approximate distance of 1,560 feet; thence across said road in an easterly direction for an approximate distance of 1,144 feet to a point; thence in a southerly direction for an approximate distance of 1,560 feet to a point; thence in an easterly direction for an approximate distance of 8,439 feet to a point; thence in a northwesterly direction for an approximate distance of 104 feet; thence in a northeasterly direction for an approximate distance of 1,771 feet to a point; thence in a northwesterly direction an approximate distance of 624 feet to a point; thence in a northeasterly direction for an approximate distance of 1,352 feet to a point on a county road; thence in a southeasterly direction along the western edge of said county road an approximate distance of 1,248 feet to a point; thence in a northeasterly direction for an approximate distance of 1,560 feet; thence in a southeasterly direction an approximate distance of 426 feet to a point approximately in the center of South Carolina State Primary Highway 215; thence in a northeasterly direction along the center line of said highway an approximate distance of 4,270 feet to a point; thence in a southeasterly direction for an approximate distance of 312 feet to a point; thence in a southwesterly direction along a line paralleling the center line of South Carolina

Primary Highway 215 for a distance of approximately 832 feet to a point; thence in a southwesterly direction an approximate distance of 4,790 feet to a point; thence in a northwesterly direction for an approximate distance of 2,187 feet to a point; thence in a southwesterly direction an approximate distance of 3,750 feet; thence in a northwesterly direction for an approximate distance of 2,291 feet to a point; thence in a southwesterly direction along a line paralleling the center line of South Carolina Primary Highway 215 an approximate distance of 8,855 feet to a point; thence in a northwesterly direction for an approximate distance of 728 feet to a point in the center of South Carolina Primary Highway 215; thence along the center line of said highway in a westerly direction an approximate distance of 5,833 feet to a point of intersection with a county road; thence in a southwesterly direction along the center line of said county road to the center line of U. S. Highway No. 78; thence in a southeasterly direction along the center line of said highway an approximate distance of 7,084 feet; thence in a northeasterly direction an approximate distance of 416 feet; thence in a southeasterly direction along a line paralleling the center line of U. S. Highway No. 78 an approximate distance of 8,020 feet to a point; thence in a southwesterly direction for a distance of approximately 520 feet to a point on the southwesterly edge of the right-of-way for U. S. Highway No. 78; thence in a northwesterly direction along the line paralleling the center line of said highway for a distance of 832 feet to a point; thence along a line paralleling the center line of highway leading from U. S. Highway No. 78 to Montmorenci Baptist Church for a distance of approximately 1,456 feet; thence in a westerly direction for a distance of approximately 2,499 feet to a point located west of Banks Mill Road; thence in a northeasterly direction for an approximate distance of 1,875 feet; thence in a northwesterly direction along the line paralleling the center line of U. S. Highway No. 78 for a distance of 1,248 feet to a point; thence in a southwesterly direction for a distance of 416 feet to a point; thence in a line paralleling the center line of U. S. Highway No. 78 for a distance of approximately 2,083 feet to a point; thence in a northeasterly direction for a distance of 416 feet to a point; thence in a line paralleling the center line of U. S. Highway No. 78 an approximate distance of 12,501 feet, said line crossing Pine Log Road and running in the rear of Levals Baptist Church to a point; thence in a northerly direction of approximately 416 feet to a point of origin;

all of which will more fully appear by reference to a plat to be made, certified and recorded as hereinafter provided, said district being in the shape of a 'V' with 1 ray of said 'V' extending roughly in an easterly and northeasterly direction along South Carolina Primary Highway 215 from its intersection with U. S. Highway No. 78 to a point just short of Shaws Creek and the other ray of said V-shape extending in a southeasterly direction along U. S. Highway No. 78 from the point of its intersection with South Carolina Primary Highway 215 to a point marking the southeasterly limit of the community of Montmorenci on U. S. Highway No. 78."

**SECTION 2. Commission created — members — appointment — terms — vacancies.**—The district shall be operated and managed by a commission to be known as "Montmorenci-Couchton Water and Sewer District". The commission shall consist of three resident electors of the district, who shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Aiken County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee and for six years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors shall have been appointed or elected and shall have qualified. The initial terms of office shall be deemed to have commenced as of the effective date of this act, notwithstanding that this may effect a lessening of the duration of the terms of office of the initial members of the commission. Successors to the initial commissioners shall be elected in the next general election immediately preceding the expiration of the term of any commissioner, commencing with the general election of 1964. The names of the candidates for the office shall be placed on the ballot the same as those of other candidates in the general election, and such ballots shall be counted and canvassed the same as other ballots. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment of the Governor, upon the recommendation of a majority of the Legislative Delegation of Aiken County, including the Senator.

**SECTION 3. Powers of commission.**—There is hereby committed to the district the functions of purchasing, acquiring, constructing, operating, maintaining, leasing, improving and extending a water

distribution system, a sewer system and a system for the collection and disposition of garbage. To that end the commission shall be empowered as provided below:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. Deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. Prescribe regulations requiring persons who shall be residents of the district to make use of any water or sewer system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Aiken County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and the notice shall appear in a newspaper published in Aiken County, and having general circulation in the district, not less than seven days prior to the occasion fixed for the holding of such meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water and sewer facilities, shall not be deemed to impose conditions upon the making or adopting of any other type of regulation authorized by this act.
7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
8. Build, construct, purchase, acquire, lease, operate and maintain water lines and water mains through the district, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same.
9. Build, construct, purchase, acquire, lease, operate and maintain a system for the collection and disposal of sewage, including the

construction of sewer mains and sewer lines, and from time to time enlarge and extend the same.

10. Install and operate or otherwise provide for a suitable system of street lights.

11. Establish, operate and maintain a system for the collection and disposal of garbage.

12. Purchase, acquire, lease and continue the use and operation of any and all of the water lines and sewer lines that may presently exist in the area.

13. Purchase, or otherwise acquire, a supply of water for its water distribution system, and to that end to purchase, acquire, lease, build, construct, maintain and operate water tanks, reservoirs, pumps and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale.

14. Distribute and sell water on such terms and rates as it shall from time to time approve. To that end, the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system.

15. Place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system.

16. Make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

17. Exercise within the district the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code.

18. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

19. Make contracts for construction, engineering and other services, with or without competitive bidding.

20. The commission may, on behalf of the district, borrow money and make and issue negotiable notes payable solely from all or any part of the revenues derived from the operation of any revenue-

producing facility. The sums borrowed may be those needed to pay all costs incident to the purchase, acquisition, construction, and establishment of its water system, its sewer system, or both, or such sum as may be needed to pay the cost of any extension, addition, and improvement to the water system, the sewer system, or both. If the method of financing authorized by this item is used, neither the faith and credit of the State of South Carolina, nor of Aiken County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. So that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682 of the 1962 Code. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions.

**SECTION 4. Disposition of revenues.**—All revenues by the Commission from the operation of any revenue-producing facility which may not be required to discharge covenants made by it, in issuing notes authorized by this act, shall be disposed of by the Commission from time to time for purposes germane to the functions of the district.

**SECTION 5. Rates.**—The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

**SECTION 6. Tax exemptions.**—The property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Effect of indebtedness.**—So long as the district shall be indebted to any person, firm or corporation on any notes issued pursuant to the authority of this act, the provisions of this act, and the powers granted to the district and the Commission shall not be

in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

**SECTION 8. Exempt from taxes.**—All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 9. Fiscal year and audit.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report shall be filed at the office of the district, and shall be available for inspection by any subscriber to the system.

**SECTION 10. Certain actions prohibited—penalties.**—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 11. Plat—recording.**—It is hereby directed that within a period of not more than sixty days after the effective date of their appointments, the Commissioners of the Montmorenci-Couchton Water and Sewer District shall cause to be prepared a plat based on an engineer's survey setting forth the boundaries of the water and sewer district with such boundaries being fixed so as to conform reasonably and as nearly as possible with the boundaries set forth in this act. Within the same period of time, the Commissioners shall cause to be placed on the plat a certificate setting forth that the plat does constitute the official designation of the boundaries of the water and sewer district, and the certificate shall be signed by all of the Commissioners for the district. Likewise, within the same period of time, the plat shall be recorded, without charge, in the office of the Clerk of Court for Aiken County, South Carolina.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R548, S467)

**No. 443**

**An Act To Create The Breezy Hill Water And Sewer District In Aiken County; To Define Its Area; To Establish A Governing Commission; To Describe The Functions And Powers Of The District And Its Commission; And To Make Provision For Borrowing By The District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Breezy Hill Water and Sewer District—boundaries.**—There is hereby created in Aiken County a district to be known as “Breezy Hill Water and Sewer District” which shall be a public corporation of perpetual succession and shall have the functions described by this act. The district shall include and be comprised of the following territory:

“Commencing at a point marking the intersection of the northeast corner of the property of Mrs. J. F. Bell and the south side of the right-of-way of S. C. State Secondary Highway No. 33, thence in a northerly direction along a line perpendicular to the center line of said state highway at said point to a point on the northern edge of the right-of-way of said highway, thence in a westerly direction along the northern edge of the right-of-way of said highway for a distance of forty-three hundred feet to a point, thence in a southerly direction along a line perpendicular to the center line of said highway at said point to the southern edge of said highway right-of-way, thence in a southerly direction along a continuing straight line for a distance of eight hundred feet to a point, thence in an easterly direction along a perpendicular line at said point for a distance of forty-three hundred feet to a point, thence in a northerly direction along a perpendicular line for a distance of approximately eight hundred feet to point of origin; said district being a four-sided figure, roughly rectangular in shape and being bounded on the north by lands of Graniteville Company, on the east by lands of other individuals, on the south in part by other

lands of Graniteville Company and Cherokee Street, and on the west by lands now or formerly owned by Graniteville Company.”

**SECTION 2. Commission created — members — appointment — terms—vacancies.**—The district shall be operated and managed by a commission to be known as “Breezy Hill Water and Sewer District”. The commission shall consist of three resident electors of the district, who shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Aiken County, including the Senator. The original appointments shall be for a term of two years for one appointee, for four years for the second appointee and for six years for the third appointee, and in all cases those persons holding office shall continue to hold office until their successors shall have been appointed or elected and shall have qualified. The initial terms of office shall be deemed to have commenced as of the effective date of this act, notwithstanding that this may effect a lessening of the duration of the terms of office of the initial members of the commission. Successors to the initial commissioners shall be elected in the next general election immediately preceding the expiration of the term of any commissioner, commencing with the general election of 1964. The names of the candidates for the office shall be placed on the ballot the same as those of other candidates in the general election, and such ballots shall be counted and canvassed the same as other ballots. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment of the Governor, upon the recommendation of a majority of the Legislative Delegation of Aiken County, including the Senator.

**SECTION 3. Powers of commission.**—There is hereby committed to the district the functions of purchasing, acquiring, constructing, operating, maintaining, leasing, improving and extending a water distribution system, a sewer system and a system for the collection and disposition of garbage. To that end the commission shall be empowered as provided below:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make by-laws for the management and regulation of its affairs, and to define a quorum for its meetings.

5. Deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.

6. Prescribe regulations requiring persons who shall be residents of the district to make use of any water or sewer system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Aiken County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and the notice shall appear in a newspaper published in Aiken County, and having general circulation in the district, not less than seven days prior to the occasion fixed for the holding of such meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water and sewer facilities, shall not be deemed to impose conditions upon the making or adopting of any other type of regulation authorized by this act.

7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. Build, construct, purchase, acquire, lease, operate and maintain water lines and water mains through the district, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same.

9. Build, construct, purchase, acquire, lease, operate and maintain a system for the collection and disposal of sewage, including the construction of sewer mains and sewer lines, and from time to time enlarge and extend the same.

10. Install and operate or otherwise provide for a suitable system of street lights.

11. Establish, operate and maintain a system for the collection and disposal of garbage.

12. Purchase, acquire, lease and continue the use and operation of any and all of the water lines and sewer lines that may presently exist in the area.

13. Purchase, or otherwise acquire, a supply of water for its water distribution system, and to that end to purchase, acquire, lease, build, construct, maintain and operate water tanks, reservoirs, pumps and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale.

14. Distribute and sell water on such terms and rates as it shall from time to time approve. To that end, the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system.

15. Place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system.

16. Make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

17. Exercise within the district the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code.

18. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

19. Make contracts for construction, engineering and other services, with or without competitive bidding.

20. The commission may, on behalf of the district, borrow money and make and issue negotiable notes payable solely from all or any part of the revenues derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to the purchase, acquisition, construction and establishment of its water system, its sewer system, or both, or such sum as may be needed to pay the cost of any extension, addition and improvement to the water system, the sewer system, or both. If the method of financing authorized by this item is used, neither the faith and credit of the State of South Carolina, nor of Aiken County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the

members of the commission nor any person signing the obligations shall be personally liable thereon. So that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682 of the 1962 Code. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions.

**SECTION 4. Disposition of revenues.**—All revenues derived by the Commission from the operation of any revenue-producing facility which may not be required to discharge covenants made by it, in issuing notes authorized by this act, shall be disposed of by the Commission from time to time for purposes germane to the functions of the district.

**SECTION 5. Rates.**—The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

**SECTION 6. Tax exemptions.**—The property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Effect of indebtedness.**—So long as the district shall be indebted to any person, firm or corporation on any notes issued pursuant to the authority of this act, the provisions of this act, and the powers granted to the district and the Commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

**SECTION 8. Tax exemptions.**—All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 9. Fiscal year and audit.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after

the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report shall be filed at the office of the district, and shall be available for inspection by any subscriber to the system.

**SECTION 10. Certain actions prohibited—penalties.**—It shall be unlawful for any person to willfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R663, H1796)

**No. 444**

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1963, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There shall be levied a tax upon all the taxable property of Aiken County for ordinary and special county purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, sufficient to meet the amounts hereinafter appropriated, after deducting therefrom the estimated revenue accruing from sources other than the ordinary county taxes.

Item 1. Roads and bridges, including county shop, miscellaneous, office supplies and machinery . . . . \$126,000.00

## Salaries:

|   |           |
|---|-----------|
| Supervisor .....  | 6,300.00  |
| Travel Expense of Supervisor .....                                | 1,800.00  |
| Three Commissioners @ \$2,625.00 each .....                       | 7,875.00  |
| Three Commissioners, Expenses \$1,100 each ..                     | 3,300.00  |
| Chief Clerk, Base pay .....                                       | 3,748.50  |
| Clerk, Base pay .....   | 3,430.98  |
| Superintendent of County Farm, Base pay ....                      | 3,307.50  |
| One Machinist, Base pay .....                                     | 3,880.80  |
| Two Machinists (Assistant) @ \$3,528.00 each,<br>Base pay .....   | 7,056.00  |
| Three Road Foremen @ \$3,307.50, Base pay ..                      | 9,922.50  |
| Three Guards @ \$3,307.50, Base pay .....                         | 9,922.50  |
| Two Tournapull Operators @ \$3,307.50, Base<br>pay .....          | 6,615.00  |
| Six Road Patrols @ \$3,114.56, Base pay .....                     | 18,687.36 |
| Permanent Depreciation Fund for replacement<br>of machinery ..... | 18,000.00 |

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Total, Item 1 .....\$229,846.14

*Provided*, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

*Provided*, further, that the appropriation herein provided under Item 1, Section 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, roadworking organizations and payment of all employees who may be engaged for such purposes.

*Provided*, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while they are confined in the county centralized camp and while they are engaged in work on

the farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The Supervisor shall inspect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county monthly.

*Provided*, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost so performed. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County.

*Provided*, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

|         |   |             |
|---------|---|-------------|
| Item 2. | Clerk of Court, Salary .....                | \$ 6,300.00 |
|         | Chief Clerk, base pay .....                 | 3,748.50    |
|         | Clerk, base pay .....                       | 3,430.98    |
|         | Assistant Clerk, base pay .....             | 3,097.50    |
|         | Six Clerk Aids @ \$2,986.67, base pay ..... | 17,920.02   |
|         | Supplies .....                              | 8,500.00    |

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|---------------------|--------------|
| Total, Item 2 ..... | \$ 42,997.00 |
|---------------------|--------------|

|         |   |             |
|---------|---|-------------|
| Item 3. | Sheriff's Salary .....  | \$ 6,300.00 |
|         | Expenses, Sheriff .....   | 1,800.00    |
|         | Chief Deputy, base pay .....  | 4,359.29    |
|         | Ten Deputy Sheriffs @ \$4,150.91, base pay ...  | 41,509.10   |
|         | Telephone Expenses, Chief Deputy, Identification Officer, and ten Deputy Sheriffs, \$60.00 each ..... | 720.00      |
|         | Supplies, Identification Bureau .....   | 1,000.00    |
|         | Identification Officer, base pay .....  | 4,359.29    |
|         | Car Maintenance, gasoline and oil of Deputy Sheriffs, if so much be needed .....                      | 10,500.00   |

*Provided*, that all cars now owned by Aiken County be used only for official county or state business.

|   |          |
|---|----------|
| Uniforms for Chief Deputy, Identification Officer, and ten Deputy Sheriffs, to be purchased by Aiken County Commissioners ..... | 2,400.00 |
|---|----------|

*Provided*, that any property owned by Aiken County, for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay check until all county property issued such personnel shall have been turned in and receipt therefor issued.

*Provided*, that in the expenditure of this appropriation, the county commissioners and super-

visor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.

*Provided*, further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.

*Provided*, further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.

|  |           |
|--|-----------|
| Clerk of Sheriff, base pay .....   | 3,748.50  |
| Assistant Clerk, base pay .....  | 3,097.50  |
| Expenses going after prisoners .....   | 1,250.00  |
| Radio Technician @ \$141.00 per month .....  | 1,692.00  |
| Radio Supplies .....   | 250.00    |
| Supplies, Main Office .....  | 1,800.00  |
| Expense Account Information .....  | 500.00    |
| Car Expenses, Deputy Sheriffs, Graniteville-five @ \$102.50 per month .....                          | 6,150.00  |
| Car Expenses, Deputy Sheriffs, Gloverville-Langley-Bath-Clearwater area .....                        | 3,000.00  |
| One Deputy Sheriff, Montmorenci, base pay ..   | 1,509.54  |
| Deputy Sheriffs, Gloverville-Langley-Bath-Clearwater area, base pay 3 @ \$4,150.91 .....             | 12,452.73 |
| Telephone Expenses, Deputy Sheriffs, Gloverville-Langley-Bath-Clearwater area, three @ \$60.00 ..... | 180.00    |
| Uniform allowance, Deputy Sheriffs, Gloverville-Langley-Bath-Clearwater area, three @ \$200.00 ..... | 600.00    |
| Deputy Sheriff, Beech Island-Jackson area, to be selected by Sheriff of Aiken County, base pay       | 4,150.91  |
| Car Expense, Deputy Sheriff, Beech Island-Jackson area .....   | 1,500.00  |
| Telephone, Deputy Sheriff, Beech Island-Jackson area .....   | 60.00     |
| Uniform allowance, Deputy Sheriff, Beech Island-Jackson area .....                                   | 200.00    |

Permanent Depreciation Fund for replacement of county-owned cars, to be expended on competitive bid basis through the office of the supervisor and county commissioners upon the recommendation of the Sheriff . . . . . 3,000.00

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Total, Item 3 . . . . . \$118,088.86

Item 4. Tax Collector:

Salary . . . . . \$ 6,037.50  
 Chief Clerk, base pay . . . . . 3,748.50  
 Assistant Clerk, base pay . . . . . 3,097.50  
 Property Record Clerk, base pay . . . . . 1,260.00  
 Expenses of office, including gas, oil, books, etc. . . . . 2,250.00

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Total, Item 4 . . . . . \$ 16,393.50

*Provided*, that total appropriations for this item shall be paid from the collections made by the Tax Collector, and any surplus existing thereafter shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Superintendent of Buildings, base pay . . . . . \$ 4,150.91  
 Telephone Expenses, Superintendent of Buildings . . . . . 60.00  
 Three Jailers @ \$4,150.91, base pay . . . . . 12,452.73  
 Telephone Expense, Jailers 3 @ \$60.00 . . . . . 180.00  
 Uniform Allowance, Jailers . . . . . 600.00  
 Uniform Allowance, Superintendent of Buildings . . . . . 200.00

*Provided*, that the jailers shall be appointed by the Sheriff and they shall be commissioned as deputy sheriffs. The sheriff shall see to it that one of the jailers shall be at the jail at all times. The Superintendent of Buildings shall be appointed by the Supervisor and County Commissioners and shall be in charge of maintenance and upkeep of all county buildings and shall be in charge of the dieting of prisoners.

Jail expenses, including dieting of prisoners . . 8,500.00  
*Provided*, that this fund of \$8,500.00, or so much thereof as may be necessary, is to be expended by the Superintendent of Buildings with the approval of the Supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by the Treasurer of Aiken County upon claims approved by the county commissioners and the supervisor. The Superintendent of Buildings, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The commissioners and supervisors, when practicable, shall provide crops and meats grown and raised on the County Farm in dieting and feeding the prisoners.

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Total, Item 5 . . . . . \$ 26,143.64

Item 6. County Treasurer:

Salary . . . . . \$ 2,502.00  
*Provided*, that total salary appropriations from state and local funds shall not exceed the sum of \$6,300.00.  
 Chief Clerk, base pay . . . . . 3,748.50  
 Assistant Clerk, base pay . . . . . 3,097.50  
 Clerk Aid . . . . . 2,986.67  
 Extra Clerical Help . . . . . 3,000.00  
 Supplies and Miscellaneous . . . . . 700.00  
 County Treasurer, travel . . . . . 250.00  
 Mailing out tax notices, if so much be necessary 2,500.00

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Total, Item 6 . . . . . \$ 18,784.67

*Provided*, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he

sees fit in lieu of certificates of inoculation. *Provided*, further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the Legislative Delegation and to the Supervisor a statement showing receipts and disbursements of all State, county and school funds for the preceding month, together with a statement showing the purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided*, further, that notices be sent out to each taxpayer prior to October 1, 1963.

Item 7. County Auditor:

|   |             |
|---|-------------|
| Salary .....  | \$ 2,502.00 |
| <i>Provided</i> , that total salary appropriations from State and local funds shall not exceed the sum of \$6,300.00. |             |

|   |          |
|---|----------|
| Chief Clerk and Deputy Auditor, base pay ....   | 3,748.50 |
| Assistant Clerk, base pay .....   | 3,097.50 |
| Two Clerk Aids @ \$2,986.67, base pay .....   | 5,973.34 |
| Miscellaneous Supplies, and servicing machines  | 3,000.00 |
| Board of Equalization .....   | 5,000.00 |
| Auditor, travel .....   | 400.00   |
| Deputy Auditor, travel .....  | 150.00   |
| Extra clerical help, including assistance to municipalities and for preparing auto and boat registrations ..... | 3,000.00 |

|                     |              |
|---------------------|--------------|
| Total, Item 7 ..... | \$ 26,871.34 |
|---------------------|--------------|

*Provided*, that members of the county Board of Equalization shall each receive as compensation for his services the sum of \$8.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education:

|                         |             |
|-------------------------|-------------|
| Adult School Work ..... | \$ 7,000.00 |
| Special Services .....  | 1,000.00    |

|                     |             |
|---------------------|-------------|
| Total, Item 8 ..... | \$ 8,000.00 |
|---------------------|-------------|

*Provided*, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor and Adult Education.

## Item 9. Coroner :

|  |             |
|--|-------------|
| Salary .....                                   | \$ 3,150.00 |
| Telephone and Supplies .....                   | 200.00      |
| Expenses of Coroner .....                      | 820.00      |
| Stenographic Services, inquests, as needed ... | 1,000.00    |
| Purchase of typewriter .....                   | 325.00      |
| <hr/>  |             |
| Total, Item 9 .....                            | \$ 5,495.00 |

## Item 10. Master :

|                                  |              |
|----------------------------------|--------------|
| Salary .....                     | \$ 6,037.50  |
| Supplies and Maintenance .....   | 800.00       |
| Clerk to Master, base pay .....  | 3,748.50     |
| Expenses .....                   | 600.00       |
| Revolving Fund .....             | 400.00       |
| One Clerk Aid @ \$2,986.67 ..... | 2,986.67     |
| <hr/>                            |              |
| Total, Item 10 .....             | \$ 14,572.67 |

## Item 11. County Service Officer :

|                                      |              |
|--------------------------------------|--------------|
| Salary .....                         | \$ 5,750.00  |
| Clerk, Salary, base pay .....        | 2,986.67     |
| Travel Expenses .....                | 1,000.00     |
| Postage, stationery, equipment ..... | 500.00       |
| <hr/>                                |              |
| Total, Item 11 .....                 | \$ 10,236.67 |

## Item 12. Probate Judge :

|   |              |
|---|--------------|
| Salary .....  | \$ 5,775.00  |
| Chief Clerk, base pay .....                               | 3,748.50     |
| Clerk Aid, base pay .....                                 | 2,986.67     |
| Supplies and new equipment, if so much be necessary ..... | 2,500.00     |
| Expense money for handling insane persons ...             | 200.00       |
| <hr/>   |              |
| Total, Item 12 .....                                      | \$ 15,210.17 |

## Item 13. Magistrates and Constables:

## Magistrates:

|  |             |
|--|-------------|
| Aiken (District No. 1) .....                     | \$ 4,273.50 |
| Expenses (Magistrate, District No. 1) .....      | 600.00      |
| Windsor (District No. 3) .....                   | 866.25      |
| Salley (District No. 4) .....                    | 1,164.24    |
| Wagener (District No. 5) .....                   | 1,164.24    |
| Wards (District No. 6) .....                     | 693.00      |
| Oak Grove (District No. 7) .....                 | 693.00      |
| Langley (Districts Nos. 10 and 17) .....         | 2,772.00    |
| Expenses (Districts Nos. 10 and 17) .....        | 600.00      |
| Graniteville (Districts Nos. 8, 9, and 15) ..... | 2,772.00    |
| Expenses (Districts Nos. 8, 9, and 15) .....     | 600.00      |
| North Augusta (District No. 11) .....            | 1,819.13    |
| Beech Island (District No. 12) .....             | 1,819.13    |
| Talatha (District No. 13) .....                  | 1,819.13    |
| Jackson (District No. 14) .....                  | 1,819.13    |
| Clearwater (District No. 16) .....               | 1,819.13    |
| Expenses (District No. 16) .....                 | 600.00      |
| Supplies for Magistrates .....                   | 1,000.00    |

## Constables:

|  |          |
|--|----------|
| Aiken (District No. 1) .....                     | 2,898.47 |
| Expenses (District No. 1) .....                  | 600.00   |
| Windsor (District No. 3) .....                   | 635.25   |
| Salley (District No. 4) .....                    | 635.25   |
| Wagener (District No. 5) .....                   | 866.25   |
| Wards (District No. 6) .....                     | 324.56   |
| Oak Grove (District No. 7) .....                 | 1,050.00 |
| Graniteville (Districts Nos. 8, 9, and 15) ..... | 2,772.00 |
| Expenses (Districts Nos. 8, 9, and 15) .....     | 600.00   |
| Langley (Districts Nos. 10 and 17) .....         | 2,772.00 |
| Expenses (Districts Nos. 10 and 17) .....        | 600.00   |
| North Augusta (District No. 11) .....            | 1,617.00 |
| Beech Island (District No. 12) .....             | 750.75   |
| Talatha (District No. 13) .....                  | 750.75   |
| Jackson (District No. 14) .....                  | 750.75   |
| Clearwater (District No. 16) .....               | 1,784.48 |
| Expenses (District No. 16) .....                 | 600.00   |

*Provided*, that the Magistrate's Constable in the Clearwater District shall also serve as policeman for the community of Belvedere.

*Provided*, further, that the Magistrate's Constable at Oak Grove (District No. 7) shall also serve as policeman for Oak Grove-Monetta area.

|  |              |
|--|--------------|
| Total, Item 13 .....   | \$ 46,901.39 |
| Item 14. Department of Public Welfare:   |              |
| Director's Salary .....  | \$ 500.00    |
| Chairman of Board .....  | 840.00       |
| Three Supervisors @ \$300.00 .....   | 900.00       |
| Vice-Chairman of Board .....   | 735.00       |
| Twelve Caseworkers @ \$240.00 each .....   | 2,880.00     |
| Mileage, Welfare Workers .....   | 1,920.00     |
| Six Stenographers @ \$180.00 .....   | 1,080.00     |
| Secretary of Board .....   | 735.00       |
| Two Board Members .....  | 1,470.00     |
| Emergency Drugs for indigent patients .....                                      | 3,500.00     |
| Emergency Relief .....   | 1,500.00     |
| Total, Item 14 .....   | \$ 16,060.00 |
| Item 15. County Farm Agent:  |              |
| Salary, County Agent .....   | \$ 600.00    |
| Salary, Assistant County Agent .....   | 300.00       |
| Stenographer for Agent .....   | 525.00       |
| Boys' 4-H Club Work .....  | 150.00       |
| Contingent Fund for Agent .....  | 25.00        |
| Total, Item 15 .....   | \$ 1,600.00  |
| Item 16. County Home Agent:  |              |
| Salary .....   | \$ 300.00    |
| Stenographer for Agent and Assistant Agent ..                                    | 2,662.54     |
| Contingent Fund for Agent .....  | 25.00        |
| Girls' 4-H Club Work .....   | 150.00       |
| Supplies, Home Demonstration Agent .....   | 150.00       |
| Total, Item 16 .....   | \$ 3,287.54  |
| Item 17. Negro Farm and Home Agent:  |              |
| Salary, Negro Home Demonstration Agent ..  | \$ 777.00    |
| Demonstration Supplies (Agriculture Agent<br>and Home Demonstration Agent) ..... | 100.00       |

|   |          |
|---|----------|
| Salary, Negro County Agent .....                          | 410.00   |
| Negro County Agent, Office Rent, Heat and<br>Lights ..... | 350.00   |
| Negro 4-H Club Work (Boys and Girls) ....                 | 150.00   |
| Telephone .....   | 163.80   |
| Clerical Assistance, Negro Farm and Home<br>Agents .....  | 1,200.00 |

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Total, Item 17 .....\$ 3,150.80

Item 18. Jurors and Witnesses:

All expenses, if so much be necessary .....\$ 25,000.00

*Provided*, that witnesses for the State in criminal cases shall be paid at the rate of \$3.00 per day and five cents per mile travel; *provided*, further, that any variation from this amount for expert testimony shall be only upon written approval of the Circuit Solicitor; *provided*, that jurors in criminal cases in Magistrate Courts which are impanelled and actually sworn shall be paid \$3.00 each upon certification of the trial magistrate to the County Supervisor.

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Total, Item 18 .....\$ 25,000.00

Item 19. County Health Department:

|                               |              |
|-------------------------------|--------------|
| Lump Sum Appropriation .....  | \$ 58,000.00 |
| D.D.T. Spraying Program ..... | 2,000.00     |

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Total, Item 19 .....\$ 60,000.00

*Provided*, that a final budget of combined county, State and Federal funds will be completed as soon after the first of July as possible, and a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.

Item 20. Aiken County Hospital:

All expenses .....\$120,000.00

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Total, Item 20 .....\$120,000.00

## Item 21. Post Mortems, Inquests and Lunacies:

All expenses .....\$ 1,000.00

Total, Item 21 .....\$ 1,000.00

## Item 22. Public Buildings:

Water, fuel, lights and insurance:

All expenses, if so much be needed .....\$ 20,000.00

Total, Item 22 .....\$ 20,000.00

## Item 23. Court Stenographer for Second Judicial Circuit \$ 300.00

Stenographer, Circuit Judge ..... 600.00

Extra Clerical Help as Needed—

Magistrate, District No. 1, base pay ..... 2,310.00

Salary, County Attorney ..... 1,800.00

County Audit, to be expended by a majority of  
the Aiken County Legislative Delegation, includ-  
ing the Senator ..... 3,000.00*Provided*, that the person employed for the  
County Audit shall be so employed for the fiscal  
year commencing July 1, 1963, and ending  
June 30, 1964, and so far as is practicable he  
shall maintain a current audit.

Aiken County Library ..... 59,717.26

*Provided*, that this appropriation shall be  
deemed to be tentative, and that the final appro-  
priation for the Aiken County Library and all  
expenditures therefrom, shall be in accordance  
with a budget prepared by the Aiken County Li-  
brary Board after taking into account the avail-  
ability of all funds from all sources, including  
Federal, State, Aiken County, Edgefield County  
and Barnwell County; and *provided*, further,  
that such budget must be first approved by a  
majority of the Aiken County Legislative Dele-  
gation, including the Senator.

Vital Statistics ..... 600.00

Premium on Officers' Bonds ..... 1,250.00

Aiken Soil Conservation District:

Promotional Work and part time secretarial  
help ..... 2,000.00

|  |           |
|--|-----------|
| Rent for Negro Soil Conservationist .....  | 240.00    |
| County Officers' Retirement Fund .....   | 20,000.00 |
| Expenses, Solicitor, including telephone at courthouse .....   | 1,000.00  |
| Salary and Expenses, Assistant Solicitor, to be disbursed on authority of Solicitor .....  | 5,000.00  |
| Court Crier and other attaches, \$14.00 per day for actual services during court sessions.   |           |
| Assistant Clerk of Court, \$18.00 per day for actual work.   |           |
| <i>Provided</i> , that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses. |           |
| Assistant Rabies Control Officer, Salary, base pay .....   | 4,150.91  |
| Telephone for Rabies Office .....  | 60.00     |
| Uniforms, Rabies Control .....   | 200.00    |
| Expenses, truck, gas, etc., Rabies Control ....  | 800.00    |
| South Carolina Industrial Commission Insurance if so much be necessary .....   | 3,500.00  |
| Expenses, County Forester .....  | 876.00    |
| Supplement, County Forest Wardens, 4 @ \$50.00 per month .....   | 2,400.00  |
| Supplement County Forest Tractor Operators, 2 @ \$25.00 per month .....  | 600.00    |
| Supplement, County Forest Ranger, 1 @ \$30.00 per month .....  | 360.00    |
| Expenses, Probation Officer @ \$35 per month   | 420.00    |
| Aid to Warrenville Armory .....  | 1,000.00  |
| Aid to Civil Air Patrol .....  | 350.00    |
| Telephone, Corporal and Patrolmen, Highway Department .....  | 720.00    |
| Sinking Fund Commission .....  | 3,000.00  |
| Social Security .....  | 14,000.00 |
| Insurance; Police Cars .....   | 1,661.86  |
| Artificial Limb ( $\frac{1}{4}$ ) .....  | 500.00    |
| Aiken County Historical Commission .....   | 800.00    |
| Board of Registration .....  | 1,635.00  |

|   |                    |
|---|--------------------|
| Equipment for office of Clerk of Court, including 2 air conditioners, book cabinet and copying machine, if so much be necessary .....   | 2,500.00           |
| Air conditioner for Treasurer's Office, if so much be necessary .....   | 300.00             |
| Air conditioner for Tax Collector's office, if so much be necessary .....   | 300.00             |
| Publishing Voucher Reports .....  | 600.00             |
| Total, Item 23 .....  | <hr/> \$138,551.03 |
| Item 24. Burial of Paupers .....  | \$ 800.00          |
| <i>Provided</i> , that contributions for such burial shall be limited to \$25.00 for Children and \$50.00 for adults and that such disbursements shall be made by the supervisor only after written certification that such persons are paupers have be filed in the office of the County Board, such certification to be made by the Public Welfare Department or by affidavit made by the undertaker interring such deceased. |                    |
| Total, Item 24 .....  | <hr/> \$ 800.00    |
| Item 25. Aiken County Commission for Higher Education .....   | \$ 18,000.00       |
| Total, Item 25 .....  | <hr/> \$ 18,000.00 |
| Item 26. Civil Defense Program, if so much be necessary \$ .....  | 6,000.00           |
| <i>Provided</i> , that as soon as practicable after July 1, the Aiken County Director of Civil Defense shall prepare and submit for the approval of a majority of the Aiken County Delegation, including the Senator, a budget for the expenditure of the above amount and such Federal matching funds as are available, and no expenditure under this item shall be made except in accordance with such approved budget.       |                    |
| Total, Item 26 .....  | <hr/> \$ 6,000.00  |
| GRAND TOTAL .....   | <hr/> \$992,990.42 |

*Provided*, that as of the effective date of this act, the amounts hereinbefore designated as base pay shall be increased as follows:

Any employee of Aiken County not to include Magistrates, Constables and/or elected officials, who is entitled to receive as compensation for service rendered a salary designated hereinbefore as base pay, and who shall have also completed at least ten years of service as an employee of Aiken County, shall receive as additional compensation an amount equal to ten per cent of the base pay salary hereinbefore designated for such position of employment. *Provided*, that any such employee who has completed at least five years of such service shall receive as additional compensation an amount equal to five per cent of such base pay salary.

*Provided*, further, that in computing length of service for those employees of Aiken County engaged in law enforcement any and all prior service in law enforcement performed in Aiken County by such persons in the course of employment by the State of South Carolina or any political subdivision thereof, shall be considered as prior service performed while an employee of Aiken County.

*Provided*, further, that in computing length of service hereunder, any employee of Aiken County who shall have been an employee of Aiken County at any time during the period from January 1, 1937, through December 31, 1948 and while Aiken County department heads were on a fee basis rather than on a salary basis, shall be entitled to credit for service performed during said period, upon the filing with the Supervisor and County Commissioners of a written, signed statement setting forth in such detail as shall be required by the Supervisor and County Commissioners, the dates and places

of such employment together with the general nature of duties performed.

*Provided*, that a majority of the Aiken County Legislative Delegation, including the Senator, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify; and

*Provided*, that a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners may together by written authorization direct the transfer of any general fund monies in excess of the appropriations hereinbefore made from said General Fund of Aiken County for application to unforeseen emergency situations which might arise in connection with the conduct of the affairs of Aiken County.

*Provided*, all such written authorizations, whether heretofore or hereafter made, are hereby ratified, but such shall not be valid until a copy of same be filed with the clerk of court.

*Provided*, further, that no such written authorization providing for the expenditure of funds shall be made except in cases of emergency and then only in a meeting held by the entire delegation. *Provided*, no alterations of the act shall be made by anyone during the year 1963-1964 not herein expressly provided for, and any expenditures in excess of amounts herein provided, if made without the prior written approval of a majority of the Aiken County Delegation, including the Senator, shall be the personal responsibility of the department head concerned, and shall *ipso facto* constitute sufficient cause for the removal from office, with forfeiture of pay, of such department head.

*Provided*, that all department heads shall comply with the requisition system which has been instituted by the County Board in connection with the purchase of supplies and equipment and

no such purchase made without compliance  
herewith shall be paid for by the County Board.

Less Estimated Revenue other than Taxes:

|   |              |
|---|--------------|
| Delinquent Taxes from Tax Collector .....     | \$ 55,000.00 |
| Fines, Licenses, Fees and Miscellaneous ..... | 136,000.00   |
| Gasoline Tax .....                            | 210,000.00   |
| Insurance License Fees .....                  | 50,000.00    |
| Alcoholic Liquor Tax .....                    | 59,000.00    |
| Beer and Wine Tax .....                       | 15,000.00    |
| Income Tax .....                              | 70,000.00    |
| Bank and Broker's Tax .....                   | 6,089.82     |
| County Service Officer .....                  | 5,600.00     |
| Tax Collector's Cost .....                    | 3,855.82     |

|                                      |              |
|--------------------------------------|--------------|
| Total Revenue Other Than Taxes ..... | \$610,545.64 |
|--------------------------------------|--------------|

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\$382,444.78

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R644, S463)

**No. 445**

**An Act To Authorize The Governing Body And Treasurer Of Allendale County To Borrow One Hundred Twenty-five Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Allendale County may borrow money.**—The Governing Body and Treasurer of Allendale County are authorized to borrow one hundred twenty-five thousand dollars for general county purposes. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Governing Body and the Treasurer of Allendale County. The note shall bear interest not to exceed four per cent per annum and shall be paid in such installments as may be agreed upon by the borrowers and lenders. The borrowers reserve

the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment—further.**—Should the monies be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R24, H1092)

**No. 446**

**An Act To Create The Anderson County School Of Nursing Building Commission; To Define Its Powers And Duties; To Provide An Appropriation Therefor; To Authorize The Borrowing Of Money; And To Authorize The Supervisor And Board Of Commissioners Of Anderson County To Assist In The Construction Of Improvements Authorized Hereby.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Anderson County School of Nursing Building Commission created.**—There is hereby created the Anderson County School of Nursing Building Commission to be composed of twelve residents of Anderson County, three of whom shall be appointed by the elected trustees of the Anderson County Hospital Association, and nine of whom shall be appointed by the Anderson County Legislative

Delegation. Three of the delegation's appointees shall be chosen from among the six trustees of the hospital association appointed by the delegation. Initial appointments to the commission shall be made not later than thirty days following the effective date of this act. Appointees, in order to qualify as members of the commission, shall file a written notice of their acceptance with the Clerk of Court of Anderson County, who shall record the notices in his office. Vacancies in the commission shall be filled in the manner of the original appointment. Members of the commission shall receive no compensation other than reimbursement for actual travel expenses incurred in carrying out their duties as members of the commission. The commission shall elect a chairman from its membership, and a secretary who need not be a member of the commission. The commission may provide such reasonable compensation as it deems advisable for its secretary in attending meetings and keeping records of the acts of the commission. The commission shall consist of the following members: Mr. A. M. Doolittle, Mr. Roy L. Coffee, Mr. J. Wilbert Wood, who shall be appointed by the trustees of the Anderson County Hospital Association; Mr. T. W. Cooper, Mr. M. E. McDonald, Mr. E. B. Moore, Mr. Carl Nelson, Dr. Vernon Merchant, Mr. Harold Murdock, Mr. Moffie T. Haynie, Mr. Clyde A. Bolt, and Mr. T. Ree McCoy, Jr., who shall be appointed by the Anderson County Legislative Delegation, the latter three being trustees of the Hospital Association.

**SECTION 2. Powers and duties.**—The commission shall have the authority to and the duty of erecting buildings on land deeded to Anderson County by the Anderson County Hospital Association to be used as a home for the Anderson County School of Nursing. The commission shall select a competent architect to design and supervise the erection and furnishing of the School of Nursing. Construction shall be by competent contractors submitting the lowest bids approved by the commission.

**SECTION 3. Appropriation.**—There is hereby appropriated from the general fund of Anderson County the sum of one hundred thousand dollars to be used in carrying out the purposes of this act. The commission is authorized to receive aiding and supplemental funds from the United States for the erection of such buildings, and it may receive from the Anderson County Hospital Association and from other sources gifts contributing to the building fund. All funds received by the commission shall be deposited with the Treasurer of

Anderson County in a separate account and disbursed by him upon warrants signed by the chairman and secretary of the commission.

**SECTION 3A. May borrow money.**—The Supervisor of Anderson County is hereby authorized to borrow from any bank or banks the sum of two hundred thousand dollars with interest not to exceed one-half of the current prime interest rate. The loan shall be evidenced by notes of the county and the full faith, credit and taxing power of the county are hereby pledged for the payment of such loan. The county auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay the principal and interest on the notes as they respectively mature. The proceeds of the loan shall be used to supplement other county funds on hand and shall be additional to the appropriation provided for in Section 3 of this act.

**SECTION 4. Hospital Association to lease and operate school.**—The school shall be leased by Anderson County to Anderson County Hospital Association as provided by the present lease of the county hospital building to the association. The association shall be responsible for the costs of operation and maintenance of the school and its facilities, including compensation of the teaching force and no charge therefor shall be made against Anderson County.

**SECTION 5. County to assist with grading and paving.**—The Supervisor and Board of Commissioners of Anderson County are authorized to assist the commission in the performance of grading, excavating, paving and curbing attendant to the construction of buildings pursuant to this act.

**SECTION 6 Commission to transfer property to Board of County Commissioners.**—Upon completion of the construction, equipping and furnishing of the buildings the control and management of all property held by the commission shall be turned over to the Board of County Commissioners of Anderson County. At such time, the commission shall furnish a full account of its actions and of all monies received and spent by it, whereupon it shall be dissolved.

**SECTION 7. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R46, H1129)

**No. 447****An Act To Authorize The Anderson County Board Of Commissioners To Sell And Convey Title To The Old Anderson County Jail And Jail Lot.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Anderson County may sell old jail.**—The County Board of Commissioners of Anderson County is hereby authorized to sell and convey the old Anderson County Jail and jail lot to the highest bidder after advertisement as required for judicial sales of real property by Section 10-1306 of the 1962 Code. The county legislative delegation shall have the right to reject any or all bids for reasons sufficient to it.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R162, H1404)

**No. 448****An Act To Extend The Terms Of Office Of The Members Of The Belton-Honea Path Water Authority In Anderson County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Terms of members extended.**—The terms of office of the members of the Belton-Honea Path Water Authority in Anderson County are extended for two additional years.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

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(R455, H1615)

**No. 449****An Act To Amend Sections 1, 2 And 3 Of Act No. 389 Of 1955, Validating And Confirming The Creation Of Piedmont Water, Sewer And Light District Of Anderson And Greenville**

**Counties And Defining Its Functions And Powers And The Functions And Powers Of Its Governing Commission, So As To Change The Name Of The District To "Piedmont Sewer And Light District Of Anderson And Greenville Counties"; To Further Define The Personnel Of The Commission And Their Respective Terms Of Office And Their Manner Of Election; To Authorize Its Commission To Transfer And Convey Any Of Its Facilities Upon Such Terms As It Deems Advisable To Any District, Municipality Or Other Subdivision Of This State Empowered To Operate Such Facility; To Make Provision For Borrowings By The District, Including The Issuance Of Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Terms And Conditions Under Which Moneys May Be Borrowed By The District And To Make Provision For Their Payment By Levying A Tax Therefor; And To Provide For The Extension Of The Area.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Act 389 of 1955 amended—name of Piedmont Water, Sewer and Light District of Anderson and Greenville Counties changed to Piedmont Sewer and Light District of Anderson and Greenville Counties.**—Act No. 389 of the Acts of 1955 is amended as follows:

(a) By striking the word "water" from the name of "Piedmont Water, Sewer and Light District of Anderson and Greenville Counties" so that the name of the district shall be "Piedmont Sewer and Light District of Anderson and Greenville Counties."

(b) By striking the word "water" from the name of "Piedmont Water, Sewer and Light Commission of Anderson and Greenville Counties" so that the name of the commission shall be "Piedmont Sewer and Light Commission of Anderson and Greenville Counties," and by further defining the personnel of the commission and their respective terms of office and their manner of election.

(c) By striking the words "public water works system" from Section 3 of the act and the word "water" wherever used therein to describe a system or facility of the district, or the words "water system," "water works," or "water facilities" wherever the same shall appear therein.

(d) By striking paragraphs 8, 9, 12 and 13 of Section 3 thereof in their entirety, and renumbering the following paragraphs accordingly.

(e) By adding the following provision to paragraph 7 of Section 3 as follows:

*“Provided, that the entire water facilities and waterworks system heretofore owned or acquired by the district under the authority of Act No. 389 of the Acts and Joint Resolutions of the General Assembly, 1955, shall continue to be operated by the district until such water works system shall be sold or transferred by the commission upon such terms and conditions as it shall deem advisable and proper, to any other district, municipality, or other political subdivision of this State authorized and empowered to operate such system or facility; provided, further, that upon the sale or transfer of the water facilities and water works system, the district shall no longer be empowered to construct, acquire, maintain, operate or manage any type of water works system or water distribution facilities.”*

(f) By adding the paragraph hereinafter designated as paragraph 15 of Section 3 of the act to provide for the issue of general obligation bonds not exceeding two hundred thousand dollars.

(g) By adding the paragraph hereinafter designated as paragraph 17 of Section 3 of the act, prescribing the terms and conditions under which moneys may be borrowed by the district by means of such general obligation bonds and to make provision for their repayment, including the power to levy a tax therefor.

When amended, Sections 1, 2 and 3 of the act shall read as follows:

“Section 1. All proceedings taken in connection with the establishment of Piedmont Sewer and Light District of Anderson and Greenville Counties (heretofore known as Piedmont Water, Sewer and Light District of Anderson and Greenville Counties) stand validated, ratified, approved and confirmed and the territory set forth in Act No. 389 of the Acts and Joint Resolutions of the General Assembly, 1955, and delineated upon a plat captioned ‘Property of Piedmont Mfg. Co., Greenville and Anderson Counties’, made by Dalton & Neves, bearing date June 1, 1947, revised March 25, 1948 and being of record in Plat Book GG, page 116-117 of the records of Greenville County, and in Plat Book 27, page 208-209 in the public records of Anderson County, shall be a district known as ‘Piedmont Sewer and Light District of Anderson and Greenville Counties’ (heretofore known as ‘Piedmont Water, Sewer and Light District of Anderson and Greenville Counties.’) Such district shall be a public corporation of perpetual succession and shall have the functions prescribed by

this act, those committed to it by the statute law mentioned in the recitals to this act, and those granted by all acts amendatory hereof.

Section 2. The district shall be operated and managed, and all functions committed to the district shall be performed by a commission which shall be known as 'Piedmont Sewer and Light Commission' (heretofore known as 'Piedmont Water, Sewer and Light Commission'). Its present membership shall consist of: O. B. Thompson, whose present term of office expires on December 1, 1964; C. H. Hammonds, whose present term of office expires on December 1, 1966; and Charles M. Poole, whose present term of office expires on December 1, 1968. Successors shall be elected by the qualified electors of the district in each general election held hereafter, for terms of six years. In the event of a vacancy in office occurring by reason of death, resignation or otherwise, a successor shall be appointed for the balance of the unexpired term by the Governor, upon the recommendations of the Senators of Anderson and Greenville Counties. All commissioners shall hold office until their respective successors have been elected and have qualified.

Section 3. There is hereby committed to the district the functions of constructing, operating, maintaining, improving and extending a public sewer system, and a system whereby the more traveled thoroughfares within the district can be lighted by means of electricity or otherwise. To that end the commission shall be empowered as follows:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make by-laws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. To deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. To prescribe regulations requiring persons who shall be residents of the district to make use of any sewer system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, a certified copy thereof has been recorded in the Register of Mesne Conveyance offices for Anderson and Greenville Counties, additional copies have been posted in the courthouses for Anderson and Greenville Counties and in at least two public places in the dis-

tract, and notice of the adoption of the regulations shall be published at least once for three successive weeks in a newspaper published in and having general circulation in the district. The notice shall specify, in brief, the scope of the regulations and shall state the date on which they shall become effective. Prior to the adoption of the resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and the notice shall appear in a newspaper published in and having general circulation in the district, not less than seven days prior to the occasion fixed for the holding of the meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of sewer facilities, shall not be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act.

7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein; *provided*, that the entire water facilities and water works system heretofore owned or acquired by the district under the authority of Act No. 389 of the Acts and Joint Resolutions of the General Assembly, 1955, shall continue to be operated by the district until such water works system shall be sold or transferred by the commission upon such terms and conditions as it shall deem advisable and proper, to any other district, municipality, or other political subdivision of this State authorized and empowered to operate such system or facility; *provided*, further, that upon the sale or transfer of the water facilities and water works system, the district shall no longer be empowered to construct, acquire, maintain, operate, or manage any type of water works system or water distribution facilities.

8. To build, construct, operate and maintain a system for the collection and disposal of sewage, including the construction of sewer mains and sewer lines, and from time to time enlarge and extend the system.

9. To establish a system of street lighting wherever practical.

10. To place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system.

11. To make use of county and State highway rights-of-way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

12. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, of the 1962 Code, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code, as such statutes are now constituted or as they may afterwards be constituted following any amendments thereto.

13. To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

14. To make contracts for construction, engineering and other services, with or without competitive bidding.

15. To issue, under the conditions prescribed by paragraph 17 of this section, *infra*, general obligation bonds of the district in an amount not exceeding two hundred thousand dollars.

16. In addition to the power given by paragraph 15 of this section, *supra*, to borrow money, and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from all or any part of the revenues derived from the operation of any revenue producing facility. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of its sewer system, or such sum as may be needed to pay the cost of any extension, addition and improvement to the sewer system. If the method of financing authorized by this paragraph be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Greenville and Anderson Counties, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the district by the code provisions, the district may make all pledges and

covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by the code provisions. Specifically, and notwithstanding contrary provisions in any of the code provisions, if contrary provisions there be, the district may:

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue producing facility, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and all revenues derived from the operation of the revenue producing facility, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared

due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

17. To issue not exceeding two hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the costs of constructing, establishing, maintaining, repairing or renovating a sewer system in the district. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such sewer system, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and such other expenses as may be necessary or incident to the construction of the sewer system and the placing of the same in operation. General obligation bonds shall be issued only in the event the election required by paragraph 18 shall result favorably. All or any general obligation bonds issued pursuant to this paragraph may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue producing facility operated and maintained by the district. The words "net revenues" as used in this paragraph shall mean that sum remaining from the aggregate of all moneys realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facility, whose revenues shall be pledged. If, pursuant to this paragraph, general obligation bonds are issued :

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date or dates as the commission shall determine and the bonds of any issue shall mature in such equal or unequal annual installments as may be determined by the commission. They shall be made payable at such place or places as the commission shall prescribe and shall bear interest at such rate or rates, payable in such manner as the commission may determine. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Greenville County and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to re-

demption prior to its stated maturity on such terms and conditions, and with such redemption premium, as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least ten days prior to any sale, notice announcing the intention to receive bids for the sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds shall be executed in the name of Piedmont Sewer and Light District by the Chairman of the Piedmont Sewer and Light Commission and by the Treasurer of Greenville County and the Treasurer of Anderson County under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the Chairman and the Treasurer of Greenville County and the Treasurer of Anderson County who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers occurring after such execution or authentication.

(d) There shall be irrevocably pledged for the payment of the bonds and interest, as they mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Greenville County and the Auditor and Treasurer of Anderson County, respectively, are hereby authorized and directed to levy and collect annually a tax upon all taxable property (any and all property belonging to any municipal corporation and/or the commission of public works of any municipal corporation being hereby expressly excluded where not already excluded under other laws) within that portion of the district lying within their respective counties sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at their respective maturities. The Treasurer of Anderson County shall periodically remit to the Treasurer of Greenville County that portion of the tax levy collected by him in order that the Treasurer of Greenville County may remit to the paying agent of the bonds the sums required to meet the payment of the principal and interest of the bonds. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event such net revenues as shall be

available shall be delivered to the Treasurer of Greenville County prior to the occasion when the Auditor fixes the annual levy. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid actually in the hands of the Treasurer of Greenville County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(e) The pledge of net revenues authorized by subparagraph (d) of this paragraph need not, in the discretion of the commission, be exclusive and the commission may reserve the right to issue further bonds, payable in whole or in part, from such net revenues, on a parity with the bonds authorized by this paragraph, under such conditions as the commission may prescribe.

(f) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Greenville County in a separate and special fund and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Greenville County and by him applied to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Greenville County to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

(g) The bonds and the interest thereon shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522, Code of Laws of South Carolina, 1962.

18. The commission is empowered to fix a date for the holding of a special election in the district for the purpose of submitting to the qualified electors of the district the question of issuing general obligation bonds of the district for the purposes authorized by paragraph 17, *supra*. The election shall be conducted by the Commissioners of Election for Anderson County and Greenville County, who shall jointly give notice thereof by publication once each week for three successive weeks prior thereto, in a newspaper with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted in each of the several precincts

of the district as they are now established by law, and at the regular voting place therein, if such be within the district; otherwise, the commissioners of election shall designate a suitable voting place within such precinct. The question submitted shall show on its face the purposes for which the proceeds of the bond issue are to be expended and shall be substantially in the following form:

“Shall the Piedmont Sewer and Light Commission of Anderson and Greenville Counties issue general obligation bonds in a sum not exceeding Two Hundred Thousand Dollars, the proceeds of which shall be used to construct and establish a sewer system in the District?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds he shall erase or strike through the word “NO”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word “YES”. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the commissioners of election for the county in which such precinct is located. The commissioners of election of each county shall return the results of the voting in each county to the commission, which shall thereupon declare the result of the election. If the commission determines that a majority of the voters voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued, as provided in paragraph 17, *supra*, of this section; but if the commission determines that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued under the provisions of paragraph 17, *supra*, of this section. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

19. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

20. The commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax therefor. The commission shall notify the Auditor and Treasurer of Greenville County and of Anderson County of any desired tax, whereupon they shall assess and collect the tax as requested and each treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same

are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

**SECTION 2. Procedure for adding territory to district.**—The property of any person in Anderson County or Greenville County which adjoins the district may be added to the district upon the written petition of the property owner and approval of the petition by the commission of the district.

The district is hereby authorized to take in any area contiguous to the district. Before any area shall be taken into the district, a majority of the freeholders in the prospective area must petition in writing to the commission requesting that they be taken into the district. Each petition must have attached to it a survey or plat showing the area to be taken into the district. No area shall be taken into the district unless a majority of the commission of the district approve the petition. A hearing by the commission on the acceptance or rejection of the petition shall be held, but notice of the hearing shall be given at least one week prior to the time the commission acts on the petition by publishing same in a newspaper in the county stating the time, place and purpose of the meeting and clearly defining the area proposed to be included in the water and sewer district.

Once the new area is included in the district, the residents of the area shall be entitled to all of the benefits and services rendered to the residents of the district and shall be taxed as other property lying within the district.

**SECTION 3. Saving clause.**—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

**SECTION 4 Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R561, H1788)

## No. 450

**An Act To Make Appropriations For The Operating Expenses Of Anderson County For The Fiscal Year 1963-1964, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of sufficient mills to pay the appropriations for Anderson County hereafter made for the fiscal year beginning July 1, 1963, and ending June 30, 1964, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year is hereby levied upon all the taxable property of Anderson County. The amount of millage shall be determined by the county auditor and approved by a majority of the Anderson County Legislative Delegation, including the Senator.

**SECTION 2.** There is hereby appropriated for Anderson County for the fiscal year beginning July 1, 1963, and ending June 30, 1964, the following sums of money to be expended for the purposes herein set forth, subject to the provisions contained in this act, in amounts as follows:

|  |              |
|--|--------------|
| ITEM A. Convicts .....   | \$150,000.00 |
| Total, Item A .....  | \$150,000.00 |
| ITEM B. Public Buildings:  |              |
| (1) Salary of Courthouse Janitor .....                           | \$ 2,854.00  |
| (2) Utilities, maintenance supplies and property insurance ..... | 25,225.00    |
| Total, Item B .....  | \$ 28,079.00 |
| ITEM C. County Jail:   |              |
| (1) Jailors (6) @ \$3,600.00 each .....                          | \$ 21,600.00 |
| (2) Jail Expense .....   | 15,000.00    |
| (3) Matron .....   | 2,949.00     |
| (4) Cook .....   | 3,244.00     |
| Total, Item C .....  | \$ 42,793.00 |
| ITEM D. Probate Judge:   |              |
| (1) Probate Judge .....  | \$ 5,700.00  |
| (2) Clerk .....  | 4,220.00     |
| (3) Assistant Clerk .....  | 2,601.00     |
| Total, Item D .....  | \$ 12,521.00 |

## ITEM E. Public Offices:

|   |              |
|---|--------------|
| (1) Books, Stationery, Insurance, etc. .... | \$ 20,000.00 |
| (2) Workmen's Compensation Insurance .....  | 3,725.00     |
| (3) Retirement for county employees .....   | 30,000.00    |
| (4) Social Security .....                   | 18,000.00    |
| (5) Exchange Charges .....                  | 200.00       |

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Total, Item E ..... \$ 71,925.00

## ITEM F. Education:

|                                       |           |
|---------------------------------------|-----------|
| (1) Superintendent of Education ..... | \$ 891.00 |
|---------------------------------------|-----------|

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Total, Item F ..... \$ 891.00

## ITEM G. County Health Department ..... \$ 80,000.00

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Total, Item G ..... \$ 80,000.00

## ITEM H. Clerk of Court:

|   |             |
|---|-------------|
| (1) Clerk .....   | \$ 5,700.00 |
| (2) Chief Deputy Clerk .....                                      | 4,220.00    |
| (3) Clerks: 1 @ \$3,341.00—1 @ \$2,772.00—4<br>@ \$2,607.00 ..... | 16,541.00   |

---

Total, Item H ..... \$ 26,461.00

## ITEM I. Sheriff's Office:

|  |             |
|--|-------------|
| (1) Sheriff .....  | \$ 5,700.00 |
| (2) Special Deputy .....   | 4,780.00    |
| (3) Twelve Deputies (@ \$4,180.00 each) .....                        | 50,160.00   |
| (4) Travel Expense .....   | 16,000.00   |
| (5) Two Deputies to serve criminal papers—Salaries, \$3,580.00 ..... | 7,160.00    |
| (6) Two Deputies to serve civil papers—Salaries, \$3,580.00 .....    | 7,160.00    |
| (7) Clerical Help .....  | 2,607.00    |
| (8) Miscellaneous .....  | 1,000.00    |
| (9) Radio Engineer's Salary .....                                    | 1,908.00    |
| (10) Radio Supplies .....  | 4,000.00    |

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Total, Item I ..... \$100,475.00

## ITEM J. Treasurer's Office:

|                                |             |
|--------------------------------|-------------|
| (1) Treasurer .....            | \$ 1,852.00 |
| (2) Assistant Bookkeeper ..... | 3,228.00    |

|                                   |          |
|-----------------------------------|----------|
| (3) Bookkeeper .....              | 4,220.00 |
| (4) Two Clerks @ \$2,723.00 ..... | 5,446.00 |

Total, Item J .....\$ 14,746.00

## ITEM K. Auditor's Office:

|   |             |
|---|-------------|
| (1) Auditor .....   | \$ 1,852.00 |
| (2) Travel .....  | 100.00      |
| (3) Clerks: 1 @ \$4,220.00—1 @ \$3,063.00—3<br>@ \$2,723.00 ..... | 15,452.00   |
| (4) County Board of Equalization .....                            | 6,420.00    |

Total, Item K .....\$ 23,824.00

## ITEM L. Tax Collector's Office:

|  |             |
|--|-------------|
| (1) Tax Collector .....                        | \$ 4,220.00 |
| (2) Deputy .....                               | 3,300.00    |
| (3) Travel for Tax Collector, Field Work ..... | 400.00      |
| (4) (2) Clerks @ \$2,607.00 .....              | 5,214.00    |

Total, Item L .....\$ 13,134.00

## ITEM M. Supervisor's Office:

|   |             |
|---|-------------|
| (1) Supervisor .....                                      | \$ 5,700.00 |
| (2) Stenographer .....                                    | 2,936.00    |
| (3) County Commissioners (5 @ \$885.00) ....              | 4,425.00    |
| (4) Travel for Commissioners (\$50.00 per<br>month) ..... | 3,000.00    |
| (5) Clerk .....   | 4,220.00    |
| (6) County Engineer .....                                 | 4,220.00    |

Total, Item M .....\$ 24,501.00

## ITEM N. Judicial:

|                           |             |
|---------------------------|-------------|
| (1) County Attorney ..... | \$ 1,500.00 |
| (2) Coroner—Salary .....  | 2,250.00    |
| Travel .....              | 1,200.00    |

(Total Coroner—\$3,450.00)

|  |          |
|--|----------|
| (3) Magistrates:                           |          |
| Francis Prince, or successor, Anderson ... | 3,131.00 |
| Ferris Page, or successor, Anderson .....  | 3,131.00 |
| W. P. Kay, or successor, Belton .....      | 1,271.00 |
| Max Hunt, or successor, Townville .....    | 715.00   |

|  |          |
|--|----------|
| J. W. Holliday, or successor, Pendleton . . .  | 1,271.00 |
| Johnny Devore, or successor, Honea Path . .    | 715.00   |
| John Patterson, or successor, Williamston . .  | 715.00   |
| Henry O. Thompson, or successor, Pelzer . .    | 715.00   |
| Harry Reid, or successor, Piedmont . . . . .   | 840.00   |
| D. L. Young, or successor, Iva . . . . .       | 579.00   |
| S. A. Bannister, or successor, Starr . . . . . | 579.00   |

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(Total Magistrates—\$13,662.00)

|  |           |
|--|-----------|
| (4) Constables—3 at Piedmont @ \$1,092.00 each<br>—3 at Pelzer @ \$1,092.00 each—1 at River-<br>side—Toxaway @ \$1,092.00—1 at Starr @<br>\$1,092.00 . . . . . | 8,736.00  |
| (5) Court Expenses . . . . .   | 25,000.00 |
| (6) Solicitor's Office—10th Judicial Circuit:  |           |
| a. Solicitor—expense allowance . . . . .   | 300.00    |
| c. Secretary—salary . . . . .  | 2,757.00  |

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(Total Solicitor—\$3,057.00)

|                                      |          |
|--------------------------------------|----------|
| (7) Juvenile Relations:              |          |
| a. Youth Counselor, salary . . . . . | 4,084.00 |
| b. Travel Allowance . . . . .        | 1,500.00 |
| c. Asst. Youth Counselor . . . . .   | 3,403.00 |
| d. Travel Allowance . . . . .        | 1,200.00 |
| e. Clerk . . . . .                   | 2,607.00 |

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(Total Juvenile Relations—\$12,794.00)

|  |           |
|--|-----------|
| (8) Parole Office Secretary—Supplemental . . . . | 239.00    |
| (9) County Judge—Salary . . . . .                | 12,500.00 |
| a. Stenographer . . . . .                        | 3,500.00  |
| b. Court expenses . . . . .                      | 15,000.00 |

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Total, Item N . . . . . \$ 99,438.00

#### ITEM O. Agriculture:

|   |          |
|---|----------|
| (1) County Agent's Office:                    |          |
| a. County Agent's Salary . . . . . \$         | 1,000.00 |
| b. Assistant County Agent . . . . .           | 273.00   |
| c. County Agent, Secretary and Salary . . . . | 1,370.00 |
| d. Assistant Home Agent . . . . .             | 3,130.00 |
| e. Home Agent, Secretary and Salary . . . . . | 964.00   |
| f. Negro Farm Agent . . . . .                 | 1,135.00 |

|   |          |
|---|----------|
| g. Negro Home Agent .....                                     | 1,430.00 |
| h. Negro Home and Farm Agent—Secretary .....                  | 2,535.00 |
| i. County Agent, Telephone and Supplies .....                 | 550.00   |
| j. Home Agent, Telephone and Supplies .....                   | 350.00   |
| k. 4-H Club Boys' Camp .....                                  | 150.00   |
| l. 4-H Club Girls' Camp .....                                 | 150.00   |
| m. F. F. A. Camp .....  | 100.00   |
| n. J. H. A. Camp .....  | 100.00   |
| o. Negro Farm and Home Agent, Telephone<br>and Supplies ..... | 300.00   |
| p. Negro 4-H Club Boys' Camp .....                            | 125.00   |
| q. Negro 4-H Girls' Camp .....                                | 75.00    |
| r. Free Breeding, 4-H and FFA Clubs .....                     | 1,000.00 |
| s. F. A. Foundation .....                                     | 300.00   |

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Total, Item O .....\$ 15,037.00

ITEM P. Health and Welfare:

|  |             |
|--|-------------|
| (1) County Physician .....                                   | \$ 3,180.00 |
| (2) Birth and Death Registration (Mrs. King<br>et al.) ..... | 1,560.00    |
| (3) Welfare Department:                                      |             |
| a. Supplemental Salaries .....                               | 6,261.00    |
| b. Emergency Relief Fund .....                               | 1,200.00    |
| c. Child Welfare Worker—Travel .....                         | 720.00      |
| d. Foster Children Fund .....                                | 325.00      |
| e. Welfare Board, per diem .....                             | 720.00      |
| f. Telephone and Telegraph .....                             | 1,500.00    |
| g. Mental Health Clinic .....                                | 10,000.00   |

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(Total Welfare—\$20,726.00)

|   |           |
|---|-----------|
| (4) Charity—Anderson County Charity Fund .. | 36,000.00 |
|---|-----------|

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(Total Charity—\$36,000.00)

|  |           |
|--|-----------|
| (5) Anderson County Tuberculosis .....     | 1,200.00  |
| (6) Salvation Army .....                   | 1,200.00  |
| (7) County Home .....                      | 30,000.00 |
| (8) Transportation to State Hospital ..... | 1,350.00  |
| (9) Post Mortems and Lunacies .....        | 1,500.00  |

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Total, Item P .....\$ 96,716.00

## ITEM Q. Miscellaneous:

|   |            |
|---|------------|
| (1) Legislative Secretary .....   | \$ 500.00  |
| a. Postage .....  | 50.00      |
| (2) Anderson Soil Conservation District .....                             | 1,200.00   |
| (3) Service Officer—Supplemental .....                                    | 1,044.00   |
| (4) Annual Audit of County Books .....                                    | 1,200.00   |
| (5) Broadway Lake Commission .....  | 10,000.00  |
| (6) National Guard Units:   |            |
| a. Battery D 6th ADA Bn. (Sp.) 118th<br>CAR, or successor .....           | 750.00     |
| b. Hq. and Hq. Battery 6th ADA Bn. (Sp.)<br>118th CAR, or successor ..... | 750.00     |
| c. 116th Signal Company Sub-Div. (Wil-<br>liamston) or successor .....    | 750.00     |
| d. 116th Signal Company (Belton) or suc-<br>cessor .....                  | 750.00     |
| <hr/>   |            |
| (Total National Guard \$3,000.00)   |            |
| (7) Planning and Development Board .....                                  | 150.00     |
| (8) Civil Defense .....   | 5,000.00   |
| (9) Tri-County Technical Education Training<br>Center .....               | 14,000.00  |
| (10) Anderson County Nursing School .....                                 | 100,000.00 |

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Total, Item Q .....\$136,144.00

ITEM R. Contingent Fund .....\$100,000.00

(1) Road Contingent Fund ..... 260,000.00

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Total, Item R .....\$360,000.00

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GRAND TOTAL .....\$1,296,685.00

## ITEM S. Revenue other than property taxes (estimated)

|                                     |              |
|-------------------------------------|--------------|
| Magistrates' Fines and Costs .....  | \$ 70,000.00 |
| Clerk of Court, Fines & Costs ..... | 50,000.00    |
| Fees, Auditor .....                 | 750.00       |
| Fees, Probate Judge .....           | 7,000.00     |
| Fees, Sheriff .....                 | 4,000.00     |
| Fees, Supervisor .....              | 4,500.00     |
| Delinquent Tax & Fees .....         | 40,000.00    |
| Gasoline Tax .....                  | 290,000.00   |

|   |                |
|---|----------------|
| State Income Tax .....                      | 100,000.00     |
| Insurance License & Fees .....              | 108,798.14     |
| Beer, Wine & Liquor Tax .....               | 97,000.00      |
| Bank Tax .....                              | 12,000.00      |
| Broadway Lake .....                         | 2,400.00       |
| Rents .....                                 | 4,000.00       |
| Miscellaneous Income .....                  | 12,000.00      |
| <hr/>                                       |                |
| Total, Item S .....                         | \$802,448.14   |
| Estimated Assessed Valuation taxable prop-  |                |
| erty for 1963-64 \$45,000,000.00            |                |
| County levy of eleven mills, tax income ... | \$495,000.00   |
| <hr/>                                       |                |
| Estimated income for 1963-64 .....          | \$1,297,448.14 |

**SECTION 3.** The accounts as set forth in Section 2 shall be subject to the following provisos:

ITEM A. From this account the county board of commissioners is authorized to pay to the supervisor the estimated expenses of the supervisor's travel in the performance of his necessary duties in the supervision of roads and convicts, not to exceed twelve hundred dollars in accordance with the terms of Section 4 of this act.

No employee paid from this account shall receive more than three hundred five dollars and seventy-eight cents per month, except that the captain of the white stockade, one captain of the Negro stockade and the superintendent of the county home, shall not receive more than three hundred sixty-eight dollars and sixty-two cents per month.

All truck insurance shall be paid from this account.

ITEM B. (2) Unless specifically provided elsewhere in this act, the county shall pay for telephone service only on telephones installed in the public offices in the courthouse, in the county jail, in the homes of seventeen deputy sheriffs, in the homes of the South Carolina highway patrolmen stationed and working in Anderson County, in the homes of six jailors and the sheriff, with their telephones listed in their names, in the vault of the clerk of court's office, in the county home, one at each convict camp, one in the home of the coroner, one in the office used by the State Tax Commission, one in the office of the Registration Board, one each for two probation officers, one for the Youth Counselor, one for the Assistant Youth Counselor, one for County Repair Shop, one for

Sergeant of White Convict Camp and one for Sergeant of Negro Convict Camp, and it shall not pay for extension telephones at such places, and shall not pay for any long distance calls other than those personally authorized by the Supervisor or the Sheriff. *Provided*, that the supervisor and the board of commissioners shall pay five dollars per month for a telephone in the homes of the jailer, deputy sheriffs and highway patrolmen working in Anderson County.

ITEM C. (2) From this account the Sheriff of Anderson County shall pay only the actual operating expense of the county jail and the dieting of prisoners, and no part of this fund shall be used to supplement any salaries and such expense shall be paid by the Anderson County Treasurer upon claims approved by the Supervisor of Anderson County. *Provided*, that any charges made in compromising a case or any meals served to a federal prisoner shall be at the maximum rate prescribed by law; *provided*, further, that the sheriff is authorized to spend an amount not to exceed five dollars and mileage in any one case from the dusting and photographing of fingerprints.

ITEM E. (1) From this account the supervisor or other proper county officer is hereby authorized to pay the premium on the official bonds required of the thirteen deputy sheriffs of Anderson County, and of the four deputies to serve magistrates in the City of Anderson, the jailor, and the clerks in the office of the county treasurer and tax collector. The supervisor or other proper county officer is also authorized to pay the premiums on burglary or theft insurance from funds in the custody of the Treasurer of Anderson County.

The county quarterly report, as provided by law, shall be printed in a newspaper of Anderson County and the expense therefor shall be paid from this account. A complete report shall be filed with the clerk of court which shall be available to the general public.

ITEM I. (6) The officers holding these positions shall charge the same fees as now provided by law and shall make monthly reports thereof to the Treasurer of Anderson County through the office of the Sheriff, and deposit such collected fees with the treasurer, who shall place the money in the General Fund of Anderson County.

ITEM K. (4) From this account the county supervisor is hereby directed to pay the members of the Township Board of Assessors immediately upon completion of their work being certified to by the county auditor.

ITEM N. (3) The fees to be collected by any officer of Anderson County for the County General Fund shall be as follows: Distress for Rent, \$2.00; Rule to Show Cause in Ejectment, \$1.00; Warrant of Ejectment, \$1.00; Summons for Debt, including transportation and judgment, \$1.00; Attachment, \$3.00; Claim and Delivery, \$2.00; all Warrants settled by Magistrates, \$2.00, except warrants settled for bad checks, \$5.00, plus seven cents per mile round trip and jail fees of \$1.00 per day while in jail. The magistrates' fees shall remain the same.

ITEM N. (4) From this account the supervisor and board of county commissioners are hereby authorized to pay four Anderson County Deputy Sheriffs, three at Pelzer, three at Piedmont and one at Riverside-Toxaway, and one at Starr, the sum of \$91.00 per month.

ITEM N. (5) From the sum appropriated under Item N (5), designated as "Court Expenses," there shall be paid unto the Grand Jurors, Petit Jurors, and Bailiffs in Circuit Court the sum of seven dollars per day. Grand Jurors and Petit Jurors shall in addition to the aforesaid sum receive ten cents per mile for one round trip from their home to the Anderson County Courthouse for the term for which they are drawn to serve, and all witnesses appearing in any criminal case under subpoena for attendance thereat, required by South Carolina law to be paid, shall receive the sum of one dollar per day and mileage as is hereinabove fixed for the Jurors. In the Special Magistrate's Court pay for jurors and witnesses shall be at the rate of three dollars per day, and pay for two stenographers shall not exceed the sum of two hundred forty-four dollars and sixty-four cents per month each. Pay for the jurors in ordinary magistrate's court of Anderson County shall be two dollars per day. The jurors and bailiffs in Anderson County Court shall receive the same pay as the jurors and bailiffs in the circuit court.

For services as jurors in the coroner's inquests each person so drawn and who serves shall receive compensation in the sum of two dollars for each inquest, to be paid out of this account.

ITEM O. (1)-r. This account is to provide for one free breeding for any member of the Anderson County 4-H Club or Anderson County Future Farmers of America.

ITEM P. (2) This account shall be used to pay the various Registrars in Anderson County the sum of twenty-five cents each

for each birth and/or death reported, and also Registrar shall receive the sum of twenty-eight dollars and thirty-six cents, to be paid in semiannual installments of fourteen dollars and eighteen cents.

ITEM P. (3)-b. This account shall be paid to the County Welfare Department and the treasurer is hereby directed to pay over to the County Public Welfare Department the entire sum of twelve hundred dollars. At the end of each quarter, the Department of Public Welfare shall file a statement of the expenditure of this fund with the county supervisor, in duplicate.

ITEM P. (4) The funds appropriated under Section P (4) shall be expended upon the approval of a majority of the Anderson County Board of Welfare, which board is hereby designated the Anderson County Hospital Charity Certification Office. All proceeds received from accounts previously paid out of charity funds shall be deposited with the Treasurer of Anderson County, and such funds shall be added to the amounts appropriated under this section and expended in like manner as the original appropriations.

ITEM P. (9) From this account the supervisor and board of county commissioners are hereby authorized and directed to pay the costs of post mortems and lunacy examinations, at the rate of pay provided by contract and approved by the supervisor. Payment herein provided for shall be made upon the certification by the coroner as to post mortems and by the probate judge as to lunacy examinations.

ITEM Q. (4) This account shall be expended under the authorization of a majority of the county legislative delegation, including the Senator.

ITEM Q. (5) From the sum appropriated, the members of the commission shall receive twenty dollars per diem for attending meetings of the commission, not exceeding more than one meeting per month.

*Provided*, that the county supervisor is authorized and directed to clean the beaches of all debris once a year at low water at his convenience.

ITEM Q. (7) The amount appropriated under this item is to be used for stationery, postage and supplies.

ITEM R. These funds shall be used solely for payments of such sums and for such purposes as may be directed by a majority of the

Anderson County Legislative Delegation, including the Senator. This may be used during the fiscal year 1963-1964.

**SECTION 4.** Upon the estreating of any bond and upon the amount adjudged against the bondsmen being paid to the Clerk of Anderson County, before judgment is entered up in judgment roll, then in such event the clerk is authorized to enter collection of the amount in his fine books and it shall not be necessary for the clerk to enter up judgment in customary judgment roll. He, however, shall file the papers connected with the estreating of the bond, along with the warrant, etc., in the case in which such bond was given.

**SECTION 5.** All salaries set out in this act are intended as the annual salary of the person designated and are to be paid upon a bimonthly basis of twenty-four installments to be paid on the fifteenth and last day of each month for such time as such person shall be in actual service in their respective positions. All other items herein are to be expended upon approximately a monthly basis unless such expenditure is inconsistent with the purpose of the appropriation, but in no event shall a deficit be allowed in any appropriation made herein.

**SECTION 6.** The supervisor and county board of commissioners are hereby authorized and directed to equitably distribute road and highway improvements throughout Anderson County, including the incorporated municipalities therein, so that every section of the county shall receive work and improvement on roads, highways, and streets in the different localities of the entire county.

**SECTION 7.** It is hereby provided that no new highway or road or street shall be opened in Anderson County at the county's expense unless the opening of such highway, road or street is approved in writing by a majority of the county board of commissioners, including the supervisor, and they are hereby prohibited from opening any new street for private development.

**SECTION 8.** All monies appropriated and designated herein shall be for the purposes designated and any transfer of funds shall be approved by the Anderson County Delegation.

**SECTION 9.** Any funds now in the hands of the Treasurer of Anderson County, not heretofore or hereby designated to be used for some specified purpose, shall be held by the Treasurer of Ander-

son County in a fund to be known as the Anderson County Fund. Also, any funds coming into the hands of the county treasurer from any source provided by this act, not herein appropriated for some particular purpose, shall, at the close of the fiscal year covered by this act, be added to the Anderson County Fund as provided for in this section. The Anderson County Fund shall not be used for any purpose except upon the written authorization of the Senator of Anderson County and at least one-half of the members of the House of Representatives of Anderson County; *provided*, however, that this section shall not apply to the Anderson County Health Department.

**SECTION 10.** All purchases by any county department shall have a purchase order by the department head.

**SECTION 11.** All salaries paid partly by the State and partly by the county to constitutional officers shall not exceed a total of five thousand seven hundred dollars per year.

**SECTION 12.** An additional tax of one and one-half mills on the taxable property of Anderson County is hereby levied for public school purposes. All funds raised by the one and one-half mill levy from delinquent taxes and from marriage license fees, not hereafter allocated or the expenditure thereof hereafter provided, shall be used in the payment of such public school costs in Anderson County as the county board of education may deem necessary.

An amount not greater than the revenue realized from the levy of one-half mill shall be used to pay the cost of free textbooks for those pupils certified by their teachers as being unable to pay for same. Each district shall make a report to the county board of education showing the names of those pupils who shall receive such free textbooks. The amount of eight thousand dollars shall be allocated to the five school districts on a per pupil basis for free lunches to children certified by their teachers as being unable to pay for same. Each district shall report to the county board of education the names of those pupils who shall receive such free lunches. The county board of education is authorized to use a sum not to exceed nine thousand dollars for public school music in the schools of Anderson County under such a program as the county board of education, including the county superintendent of education, may deem proper and may employ personnel to carry out such program within the sum allocated for this purpose. The

county board of education is authorized and empowered to expend a sum not exceeding five thousand dollars for adult education, the same to be paid out of general school funds.

The county board of education is hereby authorized and directed to pay the salary of the assistant superintendent of education in an amount within the discretion of the board. The actual travel expense of the superintendent of education shall be paid in an amount not to exceed six hundred dollars per annum. The county board of education is authorized to employ a supervisor of school bus transportation whose duties shall be under the direction of the county board of education and the county superintendent of education. The supervisor of school bus transportation shall be paid a salary plus auto expense allowance in an amount within the discretion of the county board of education. He shall also be paid additional necessary travel in securing new bus equipment from the State. The secretary of the lunch supervisor and the attendance supervisor shall be paid two thousand nine hundred eighty dollars yearly. The secretary of the superintendent of education shall be paid three thousand one hundred eighty dollars yearly. The members of the county board of education shall receive ten dollars per diem for every meeting they actually attend.

Appropriations and allocations made in this section are for the benefit of the public schools in Anderson County and are made in lieu of any and all funds accruing to schools from the fines collected for the violation of any criminal laws of the State. The acceptance by the county board of education of any portion of the funds appropriated in this section shall be construed as a relinquishment of any right of the board and any school in the county to receive any portion of any fines imposed for violation of any of the criminal laws.

All materials and supplies used by the county board of education and in the office of the county superintendent of education in Anderson County shall be bought and paid for through the office of the county supervisor and the board of county commissioners, as materials and supplies for the other county offices are bought and paid for, as set in Item A.

It is hereby made a part of the duties of the superintendent of education of Anderson County to prepare and submit to the board of trustees of each school district in Anderson County a detailed statement at the end of the fiscal year, showing all revenues and

from what source derived that have been credited to the respective districts. The report shall also set forth the amounts of any funds left on hand by each of the five school districts, together with any indebtedness outstanding and the status of the same. *Provided*, that an annual audit of all funds accruing to the county board of education under this section shall be rendered to the Anderson County Delegation at the same time each year that the annual audit is made, and a copy of same shall be filed in the office of the clerk of court.

**SECTION 13.** If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

**SECTION 14.** All funds received from the Anderson County Court for transcripts shall be deposited with the county treasurer.

**SECTION 15.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R671, H1906)

**No. 451**

**An Act To Authorize The State Highway Department To Construct A Road In The City Of Williamston In Anderson County, And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Anderson County — Highway Department may construct road—cost.**—The State Highway Department is hereby authorized to add to the State Highway System and to construct a road in the City of Williamston in Anderson County by extending Mauldin Street from Dacus Street to Minor Street. The cost of constructing the road provided for in this act shall be charged to the secondary highway funds accruing in Anderson County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

(R391, S386)

**No. 452****An Act To Remove A Street In The Town Of Ehrhardt From The State Highway System.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Street in Town of Ehrhardt to be removed from Highway System.**—The street or driveway in the Town of Ehrhardt running from U. S. Highway 601 through the property of Ehrhardt Elementary School for approximately six hundred fifty feet is hereby removed from the State Highway System.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R678, H1853)

**No. 453****An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; To Validate Certain Disbursements, Expenditures And Actions During The Fiscal Year 1962-1963; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received from the trustees in operating the hospital during the fiscal year beginning July 1, 1963, and ending June 30, 1964. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1964, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is author-

ized and directed to investigate and make recommendations as to all such cases.

**SECTION 2.** The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in the County of Bamberg for ordinary county purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated.

Item 1. Roads and Bridges:

|  |              |
|--|--------------|
| Convicts and maintenance of roadworking organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary ..... | \$ 30,000.00 |
| Mechanic at County Prison .....  | 2,580.00     |
| Foreman at County Prison .....   | 2,340.00     |
| Guard at County Prison .....   | 1,200.00     |
| Guard at County Prison .....   | 840.00       |
| <hr/>  |              |
| Total, Item 1 .....  | \$ 36,960.00 |

The Supervisor shall deliver to each member of the legislative delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.

Item 2. Clerk of Court's Office:

|                       |             |
|-----------------------|-------------|
| Salary of Clerk ..... | \$ 2,400.00 |
| Clerical Help .....   | 820.00      |
| <hr/>                 |             |
| Total, Item 2 .....   | \$ 3,220.00 |

Item 3. Judge of Probate's Office:

|  |             |
|--|-------------|
| Salary of Judge of Probate and Acting Master ..... | \$ 2,400.00 |
| Clerical Help .....                                | 820.00      |
| <hr/>  |             |
| Total, Item 3 .....                                | \$ 3,220.00 |

In addition to the amount appropriated herein for the salary of the Clerk of Court and the

Judge of Probate, they shall also retain all fees collected by their respective offices, as now provided by law. *Provided*, the fee for each lunacy examination shall be \$10.00.

Item 4. Auditor's Office:

|  |             |
|--|-------------|
| Salary of Auditor, \$5,000.00 less \$3,848.00 contributed by the State ..... | \$ 1,152.00 |
| Clerical Help .....  | 820.00      |
| Travel Expense .....   | 300.00      |
| <hr/>  |             |
| Total, Item 4 .....  | \$ 2,272.00 |

Item 5. Treasurer's Office:

|  |             |
|--|-------------|
| Salary of Treasurer, \$5,000.00 less \$3,848.00 contributed by the State ..... | \$ 1,152.00 |
| Clerical Help .....  | 820.00      |
| Travel Expense .....   | 200.00      |
| <hr/>  |             |
| Total, Item 5 .....  | \$ 2,172.00 |

Item 6. Sheriff's Office:

|   |              |
|---|--------------|
| Salary of Sheriff .....   | \$ 4,250.00  |
| Deputy Sheriff (one) .....  | 3,600.00     |
| Office Clerk .....  | 2,080.00     |
| <i>Provided</i> , that the deputy shall also act as constable for the Magistrate at Bamberg.                              |              |
| Travel subsistence allowance—\$750.00 for the Sheriff and deputy sheriff—to be paid on a monthly basis .....              | 1,500.00     |
| Gas, oil and upkeep of two cars owned by county and used by the Sheriff and deputy sheriff, if so much be necessary ..... | 1,500.00     |
| To purchase uniforms for Sheriff and deputy sheriff .....   | 300.00       |
| To purchase photo supplies, ammunition, etc., if so much be necessary, by approved vouchers .....                         | 200.00       |
| For Radio repair and service .....  | 300.00       |
| <hr/>   |              |
| Total, Item 6 .....   | \$ 13,730.00 |

Item 7. Superintendent of Education's Office:

|   |        |
|---|--------|
| Salary of Superintendent of Education, \$5,000.00 less \$4,809.50 paid by the State ..... | 190.50 |
|---|--------|

|          |   |             |
|----------|---|-------------|
|          | Clerical Help .....   | 660.00      |
|          | For use of auto, maintenance and travel expense .....   | 480.00      |
|          | Total, Item 7 .....   | \$ 1,330.50 |
| Item 8.  | Supervisor's Office:  |             |
|          | Salary of Supervisor .....  | \$ 3,100.00 |
|          | Salary of Clerk .....   | 3,000.00    |
|          | For use of auto, maintenance and travel expense .....   | 525.00      |
|          | County Commissioners (2) @ \$419.76 each ..   | 839.52      |
|          | Total, Item 8 .....   | \$ 7,464.52 |
| Item 9.  | Coroner's Office:   |             |
|          | Salary of Coroner .....   | \$ 466.40   |
|          | For traveling expense and stenographic fees for taking and transcribing testimony .....   | 120.00      |
|          | Total, Item 9 .....   | \$ 586.40   |
| Item 10. | Jail:   |             |
|          | Salary of Jailer .....  | \$ 1,200.00 |
|          | Jail expenses, including dieting of prisoners, if so much be necessary; <i>provided</i> , that the jailer shall be allowed one dollar a day for each prisoner (any city prisoner to pay county two dollars turnkey, and one dollar a day for dieting) ..... | 4,000.00    |
|          | Total, Item 10 .....  | \$ 5,200.00 |
| Item 11. | Miscellaneous Salaries:   |             |
|          | Attorney .....  | \$ 466.40   |
|          | Physician .....   | 466.40      |
|          | Maid at Courthouse .....  | 551.20      |
|          | Janitor at Courthouse .....   | 992.16      |
|          | Clerical Help, School Lunch Supervisor .....  | 759.00      |
|          | Clerical Help, Home Demonstration Agent's Office .....  | 840.00      |
|          | Part Salary, Negro Home Demonstration Agent .....   | 720.00      |
|          | Clerical Help, Negro Farm and Home Demonstration Agents .....   | 480.00      |
|          | Total, Item 11 .....  | \$ 5,275.16 |

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|--|-------------|
| Item 12. County Boards:  |             |
| Board of Education .....   | \$ 400.00   |
| Board of Equalization .....  | 600.00      |
| <hr/>  |             |
| Total, Item 12 .....   | \$ 1,000.00 |
| Item 13. For the purchase of furniture and equipment for<br>the various county offices, if so much be neces-<br>sary, with expenditures from this appropriation<br>to be first approved by the legislative delegation  |             |
|  | 1,500.00    |
| <hr/>  |             |
| Total, Item 13 .....   | \$ 1,500.00 |
| Item 14. Court Expenses .....  |             |
|  | \$ 3,320.00 |
| <i>Provided</i> , that jurors and bailiffs shall be paid<br>five dollars per day for services in attendance<br>upon courts. The jury boy shall be paid three<br>dollars per day for services in attendance upon<br>courts. Jurors in magistrates' courts in criminal<br>cases and jurors in coroner's court one dollar<br>per day, to be paid upon warrants of the magis-<br>trates or coroner. <i>Provided</i> , further, that out of<br>the funds herein appropriated for Court Ex-<br>penses, the Resident Circuit Judge is hereby<br>authorized to use for stenographic services not<br>to exceed the sum of \$820.00. |             |
| <hr/>  |             |
| Total, Item 14 .....   | \$ 3,320.00 |
| Item 15. Magistrates' and Constables' Salaries:  |             |
| Magistrate at Bamberg .....  | \$ 2,000.00 |
| Constable at Bamberg (Deputy Sheriff acts as<br>Constable)   |             |
| Magistrate at Denmark .....  | 1,000.00    |
| Constable at Denmark .....   | 530.00      |
| Magistrate at Olar .....   | 583.00      |
| Constable at Olar .....  | 381.60      |
| Magistrate at Ehrhardt .....   | 583.00      |
| Constable at Ehrhardt .....  | 381.60      |
| Magistrate at Fishpond Township .....  | 482.30      |
| Constable at Fishpond Township .....   | 321.80      |
| <i>Provided</i> , that if the magistrates for the Towns<br>of Bamberg, Denmark, Olar and Ehrhardt do<br>not live in the respective towns, they shall estab-  |             |

lish office hours in the towns on Saturdays from 10 A. M. to 4 P. M., of each week, and be available during such time for official duties.

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Total, Item 15 .....\$ 6,263.30

Item 16. Welfare Department (State):

For Emergency Relief .....\$ 1,000.00

All cases receiving assistance from this fund to be approved by a majority of the board. *Provided*, that the director may approve cases needing immediate attention and in which suffering would result if assistance were delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A monthly report of all expenditures shall be made to the legislative delegation.

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Total, Item 16 .....\$ 1,000.00

Item 17. Public buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning materials and tools for building and grounds, and for repairs to county property .....

\$ 8,000.00

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Total, Item 17 .....\$ 8,000.00

Item 18. Post Mortems, Inquests and Lunacies .....\$ 650.00

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Total, Item 18 .....\$ 650.00

Item 19. Printing, Postage and Stationery .....\$ 3,500.00

*Provided*, that itemized bills for all expenditures out of this sum shall be filed with the County Supervisor before payment is made. *Provided*, further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.

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Total, Item 19 .....\$ 3,500.00

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|---|--|-------------|
| Item 20. County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department . . . . . |  | \$ 5,589.00 |
| For Rabies Control . . . . .  |  | 100.00      |
| Tuberculosis work in county . . . . .   |  | 600.00      |
| Total, Item 20 . . . . .  |  | \$ 6,289.00 |

## Item 21. Miscellaneous:

|   |           |
|---|-----------|
| (a) Vital Statistics . . . . .  | \$ 225.00 |
| (b) Premium on Bonds . . . . .  | 660.00    |
| (c) For auditing county books for 1962-1963 . . . . .   | 1,525.00  |
| (d) Boys' 4-H Work . . . . .  | 75.00     |
| (e) Girls' 4-H Work and Women's 4-H Work . . . . .  | 75.00     |
| (f) Negro Boys' 4-H Work . . . . .  | 75.00     |
| (g) Negro Girls' and Women's 4-H Work . . . . .   | 75.00     |
| (h) Demonstration supplies for Home Agent . . . . .   | 75.00     |
| (i) Demonstration supplies and photographic material for Farm Agent, if so much be necessary . . . . .                        | 100.00    |
| (j) Bamberg Public Library . . . . .  | 2,750.00  |
| (k) For Burial of Paupers . . . . .   | 200.00    |
| (l) Rent for Federal Projects and for County Agencies, if so much be necessary . . . . .                                      | 52.00     |
| (m) To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary . . . . . | 700.00    |
| (n) For retirement of county officers and employees, if so much be necessary . . . . .  | 1,680.00  |
| (o) Social Security for county employees . . . . .  | 1,560.00  |
| (p) (1) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard . . . . .              | 1,500.00  |
| (2) To purchase furniture and equipment for new National Guard Armory . . . . .   | 500.00    |
| (q) Edisto Soil Conservation District, to be used for farm work in Bamberg County . . . . .                                   | 500.00    |
| (r) To supplement salary of County Farm Demonstration Agent . . . . .   | 500.00    |
| (s) Colored County Farm Demonstration Agent . . . . .   | 400.00    |
| (t) Flowers and shrubbery for Bamberg County Hospital . . . . .   | 100.00    |

|   |   |              |
|---|---|--------------|
| (u) Janitor for Health Department and Welfare Department, and to care for Courthouse and Library grounds under supervision of Health Department .....   |   | 900.00       |
| (v) Fertilizer and improvements for Courthouse and Library Shrubbery .....  |   | 200.00       |
| (w) Official Expenses—Circuit Judge (to be paid upon warrant of Circuit Judge) .....  |   | 720.00       |
| (x) To supplement salary of County Forest Fire Protection Unit Driver .....   |   | 180.00       |
| (y) Demonstration Supplies for Negro Home Agent .....   |   | 50.00        |
| (z) To supplement salary of Assistant County Farm Demonstration Agent .....   |   | 300.00       |
| Total, Item 21 .....  |   | \$ 15,677.00 |
| Item 22.  | Contingent Fund .....   | \$ 10,000.00 |
| To be used only with the written approval of the Bamberg County Legislative Delegation.   |   |              |
| Total, Item 22 .....  |   | \$ 10,000.00 |
| Item 23.  | Bamberg County Planning and Development Board, to be paid upon vouchers approved by the Chairman and Secretary, if so much be necessary ..... | \$ 250.00    |
| Total, Item 23 .....  |   | \$ 250.00    |
| Item 24.  | For annual expenses, maintenance and operation of the J. C. Kearse Agriculture Building, if so much be necessary .....                        | \$ 3,900.00  |
| <i>Provided</i> , that all Federal agencies with offices located in such building shall pay to the General Fund of Bamberg County their proportionate share of the above cost, based on a square footage occupancy. |   |              |
| Total, Item 24 .....  |   | \$ 3,900.00  |
| Item 25.  | Tax Collector .....   | \$ 1,800.00  |
| <i>Provided</i> , the Supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.  |   |              |

|                     |          |
|---------------------|----------|
| Clerical Help ..... | 1,200.00 |
|---------------------|----------|

*Provided*, that all taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1958 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1963.

*Provided*, further, that all merchants' and corporation taxes due the county prior to and including taxes for the year 1962 shall be collected, nulla bona, or levied upon by the Tax Collector of Bamberg County on or before November 1, 1963.

|                              |              |
|------------------------------|--------------|
| Total, Item 25 .....         | \$ 3,000.00  |
| Item 26. Civil Defense ..... | \$ 1,650.00  |
| Total, Item 26 .....         | \$ 1,650.00  |
| GRAND TOTAL .....            | \$147,429.88 |

Estimated Revenue:

|                                       |              |
|---------------------------------------|--------------|
| Fines and Licenses .....              | \$ 18,000.00 |
| Commutation Road Tax .....            | 2,000.00     |
| Gasoline Tax (one cent) .....         | 50,000.00    |
| Insurance Licenses .....              | 9,000.00     |
| Liquor Taxes .....                    | 14,000.00    |
| Beer and Wine Tax .....               | 3,000.00     |
| Execution Fees .....                  | 2,000.00     |
| Income Tax .....                      | 20,000.00    |
| Bank Tax .....                        | 2,000.00     |
| Diversion from Hospital Millage ..... | 5,000.00     |
| Miscellaneous .....                   | 4,000.00     |
| Total, Estimated Revenue .....        | \$129,000.00 |

|                                       |              |
|---------------------------------------|--------------|
| Amount to be raised by taxation ..... | \$ 18,429.88 |
|---------------------------------------|--------------|

**SECTION 3.** The appropriation made under the foregoing section for the office of Sheriff and office of Treasurer of Bamberg County is intended to be full compensation for their respective services. *Provided*, that all mileage and docketing fees shall be turned over to the

Treasurer and placed in the Sheriff's auto maintenance and traveling expenses fund. *Provided*, further, that mileage shall be nine cents per mile and per diem ten dollars.

**SECTION 4.** No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

**SECTION 5.** The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this act.

**SECTION 6.** The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

**SECTION 7.** Should there be any deficit in any item of the 1962-1963 appropriations act, or should any deficit occur in any item under the provisions of this act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

**SECTION 8.** No expense allowed under this act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the Supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

**SECTION 9.** It shall be unlawful for the County Supervisor or board of commissioners to make any contracts to purchase or to make any purchase for an amount exceeding one thousand dollars without the written consent of the legislative delegation.

**SECTION 10.** Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

**SECTION 11.** No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such mag-

istrate has filed his report of the proceedings of his court, and until such magistrate shall have filed a bond as provided by law.

**SECTION 12.** The County Treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the appropriations act of Bamberg County for the year 1943.

**SECTION 13.** The Clerk of Court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage; *provided*, that the satisfaction is in the form as authorized under item (1) of Section 45-65 of the 1962 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

**SECTION 14.** All chattel mortgages will be recorded in same books and indexed accordingly.

**SECTION 15.** The Resident Circuit Judge shall be entitled to the same benefits as any other county official.

**SECTION 16.** A certain sum to be determined under the provisions of an act of 1959, bearing Ratification No. 417, shall be placed in the General Fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County.

**SECTION 17.** The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Legislative Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve unemployment in the county and stimulate business within the county.

**SECTION 18.** The disbursements, expenditures and actions authorized by the Bamberg County Legislative Delegation during the fiscal year 1962-1963 in connection with the operation of the county and departments and agencies thereof are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

**SECTION 19.** The provisions of this act as to the several officers in Bamberg County named in this act are mandatory and not dis-

cretionary and, upon failure or refusal of any of them to do the things herein directed and required to be done by them, the Supervisor shall immediately bring and institute in the courts mandamus or such other proceedings as may be proper or necessary to carry into effect the provisions of this act. The County Attorney is directed to advise all officers named in this act of their respective duties required of them in this act, and whenever necessary take legal steps at the direction of the County Supervisor in the enforcement thereof.

**SECTION 20.** Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Bamberg County and, when any new employee enters the service of Bamberg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

**SECTION 21.** If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

**SECTION 22.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R2, H1005)

**No. 454**

**An Act To Validate A Loan Made By The Bank Of Williston In Barnwell County In The Sum Of Ten Thousand Dollars To The County Of Barnwell On September 1, 1962.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Loan to Barnwell County validated.**—The loan made by the Bank of Williston in Barnwell County on September 1, 1962 to the County of Barnwell in the sum of ten thousand dollars and evidenced by a note of the same date and signed by the county treasurer and county supervisor of the county is hereby validated and declared to be legal and binding upon Barnwell County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of January, 1963.

(R660, H1479)

## No. 455

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For The Fiscal Year Beginning July 1, 1963, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The County Auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, sufficient to pay the following appropriations:

## Item 1. Roads and Bridges:

|   |              |
|---|--------------|
| Convicts and Maintenance road working organizations ..... | \$ 22,000.00 |
|   | <hr/>        |
|   | \$ 22,000.00 |

## Item 2. Clerk of Court's Office:

|  |             |
|--|-------------|
| Salary of Clerk of Court .....   | \$ 1,000.00 |
| Salary of Assistant Clerk .....  | 1,920.00    |
| Indexing births and deaths .....   | 200.00      |
| Recording discharge of soldiers and sailors ...  | 150.00      |
| Repairing and binding books, if so much be necessary .....   | 200.00      |
| To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county ..... | 300.00      |
| Telephone .....  | 112.00      |
|  | <hr/>       |
|  | \$ 3,882.00 |

*Provided*, that the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or

personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be fifty (50¢) cents; *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303, of the 1962 Code, *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. *Provided*, further, that notwithstanding Section 27-52, of the 1962 Code, in Barnwell County, the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00. *Provided*, that the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all chattel mortgage records ten (10) year of age or older.

## Item 3. Sheriff's Office:

|  |             |
|--|-------------|
| Salary of Sheriff .....  | \$ 3,360.00 |
| For use of auto, maintenance and travel expense of Sheriff .....   | 2,000.00    |
| Salaries of two Deputy Sheriffs, to be appointed by the Sheriff (\$3,000.00 each) .....                                | 6,000.00    |
| For use of autos for two Deputy Sheriffs, who furnish their own cars, maintenance and gasoline (\$1,800.00 each) ..... | 3,600.00    |

|  |          |
|--|----------|
| Replacement of Uniforms for one old Deputy Sheriff (\$150.00) and purchase of Uniforms for one new Deputy Sheriff (\$250.00) ..... | 400.00   |
| Salary of Clerk .....  | 2,400.00 |

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\$ 17,760.00

## Item 4. Treasurer's Office:

|  |             |
|--|-------------|
| Salary of Treasurer .....                              | \$ 1,200.00 |
| Salary of Clerk .....                                  | 2,400.00    |
| Assistant Clerk, two months @ \$200.00 per month ..... | 400.00      |
| Telephone .....  | 121.64      |

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\$ 4,121.64

## Item 5. Auditor's Office:

|  |             |
|--|-------------|
| Salary of Auditor .....  | \$ 1,200.00 |
| Traveling Expenses of Auditor .....  | 300.00      |
| Salary of Clerk .....  | 2,400.00    |
| Salary of Assistant Clerk (10 months @ \$200.00 per month) .....             | 2,000.00    |
| Purchasing and/or repairing and binding books, if so much be necessary ..... | 200.00      |
| Telephone .....  | 121.64      |

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\$ 6,221.64

## Item 6. Board of Education:

|  |             |
|--|-------------|
| Salary of Clerk .....                        | \$ 1,800.00 |
| Travel, Attendance Teacher .....             | 400.00      |
| Members of County Board, each \$150.00 ..... | 1,050.00    |
| Expenses, County Board .....                 | 500.00      |

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\$ 3,750.00

*Provided*, that in addition to the salary provided for the County Board of Education there shall be allowed ten (10¢) cents per mile travel going to and returning from official meetings of the Board.

## Item 7. Judge of Probate's Office:

|  |             |
|--|-------------|
| Salary of Judge of Probate and Acting Master ..... | \$ 1,800.00 |
| Salary for Clerk .....                             | 1,200.00    |
| For additional Clerical Help .....                 | 300.00      |

|  |             |
|--|-------------|
| To provide for preserving by the process of lamination or otherwise, through the State Archives Department, certain very old and brittle records of the county ..... | 300.00      |
|  | <hr/>       |
|  | \$ 3,600.00 |

*Provided*, that the fees charged by the Judge of Probate for Acting Master shall be the same as those heretofore provided by law for the Master, in the Code of Barnwell County. *Provided*, further, that any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308, of the 1962 Code.

## Item 8. Coroner's Office:

|                         |           |
|-------------------------|-----------|
| Salary of Coroner ..... | \$ 900.00 |
|                         | <hr/>     |
|                         | \$ 900.00 |

## Item 9. County Board of Managers:

|   |              |
|---|--------------|
| Salary of Supervisor of Roads .....   | \$ 3,000.00  |
| Traveling Expenses for Supervisor .....   | 1,800.00     |
| Expense allowance for Supervisor .....  | 600.00       |
| Salary of County Managers, five @ \$500.00 each .....   | 2,500.00     |
| Travel Expenses for Chairman .....  | 100.00       |
| Salary of Clerk .....   | 2,500.00     |
| Printing, postage and stationery .....  | 5,500.00     |
| Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law ..... | 2,000.00     |
| Emergency Relief, to be disbursed under direction of the Department of Public Welfare ....  | 2,500.00     |
| Travel for Child Welfare Worker .....   | 480.00       |
| Expenses, Director Barnwell County DPW investigating hospital cases .....   | 300.00       |
|   | <hr/>        |
|   | \$ 21,280.00 |

*Provided*, that no charity patient shall be admitted to the Barnwell County Hospital unless certified by the Barnwell County Department of Public Welfare.

*Provided*, that the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use said fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the said County Board of Managers.

*Provided*, further, that the farm lands owned by the county and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of foodstuffs for use by the County Chain Gang and County Hospital.

Item 10. Tax Collector's Office:

|                               |             |
|-------------------------------|-------------|
| Salary of Tax Collector ..... | \$ 1,800.00 |
| Salary of Clerk .....         | 1,500.00    |
|                               | <hr/>       |
|                               | \$ 3,300.00 |

Item 11. Magistrates and Constables:

|   |             |
|---|-------------|
| Magistrate at Barnwell .....              | \$ 2,400.00 |
| Expenses for Magistrate at Barnwell ..... | 300.00      |
| Constable at Barnwell .....               | 780.00      |
| Magistrate at Blackville .....            | 780.00      |
| Constable at Blackville .....             | 780.00      |
| Magistrate at Williston .....             | 780.00      |
| Constable at Williston .....              | 780.00      |
| Magistrate at Hilda .....                 | 540.00      |
| Constable at Hilda .....                  | 540.00      |
| Magistrate at Red Oak .....               | 540.00      |
| Constable at Red Oak .....                | 540.00      |
|   | <hr/>       |
|   | \$ 8,760.00 |

*Provided*, that no warrant shall be issued to pay any Magistrate and his Constable until at

the end of each month and such Magistrate has filed his report of the proceedings in his Court and accounted for all monies collected.

Item 12. County Jail:

Dieting prisoners .....\$ 2,480.00

The Sheriff shall act as Jailor without additional compensation.

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\$ 2,480.00

Item 13. Court Expenses:

Court Expenses .....\$ 2,500.00

Secretarial Help for the Judge of the Second

Judicial Circuit ..... 500.00

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\$ 3,000.00

Item 14. Health Work:

Physicians, County Jail and Chain Gang ...\$ 400.00

Contribution to operation of County Health Department to match state funds, as provided by law ..... 3,453.20

Vital Statistics:

To pay local Vital Statistics Registrars, if so much be needed ..... 300.00

Contribution to Tuberculosis Work ..... 500.00

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\$ 4,653.20

*Provided*, that all monies expended by the County Health Department shall be spent upon the written approval of the Barnwell County Legislative Delegation.

Item 15. Public Buildings, including water, fuel, lights, insurance, also salary and expense of \$3,800.00 for Superintendent and Maintenance Engineer for all public buildings, including Courthouse, Office Building, Health Building, County Jail, Agricultural Building, County Farm Prison Building, and County Library; for keeping grounds beautified around such buildings; and for the use of personal truck and tools .....\$ 21,500.00

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\$ 21,500.00

## Item 16. Farm and Home Demonstration Work:

|   |             |
|---|-------------|
| County Agent's Work:  |             |
| County Agent, part salary .....   | \$ 480.00   |
| Assistant County Agent .....  | 240.00      |
| Boys' 4-H Club Work .....   | 75.00       |
| Contingent, stamps, etc., for County Agent and Assistant County Agent ..... | 50.00       |
| White Home Demonstration Agent:   |             |
| Girls' 4-H Club Work and Women's HD Work .....                              | 75.00       |
| Demonstration supplies for Home Demonstration Agent .....                   | 75.00       |
| Contingent, stamps, etc., for Home Demonstration Agent .....                | 25.00       |
| Secretary, salary for Home Demonstration Agent .....                        | 420.00      |
| Telephone for County Agent and Home Demonstration Agent .....               | 100.00      |
| Negro Agricultural Agent:   |             |
| Negro Boys' 4-H Club Work .....   | 75.00       |
| Telephone for Negro Agricultural and Home Demonstration Agents .....        | 125.00      |
| Contingent, stamps, etc., for Negro Agricultural Agent .....                | 25.00       |
| Clerk, salary, Negro Agricultural and Home Demonstration Agent .....        | 1,080.00    |
| Negro Home Demonstration Agent:   |             |
| Salary, Negro Home Demonstration Agent ...                                  | 1,044.00    |
| Negro Girls' 4-H Club Work and Women's HD Work .....                        | 75.00       |
| Demonstration Supplies for Negro HD Agent .....                             | 75.00       |
| Contingent, stamps, etc., for Negro HD Agent .....                          | 25.00       |
| Barnwell Soil Conservation District .....                                   | 350.00      |
|   | <hr/>       |
|   | \$ 4,414.00 |

Item 17. Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies, Bookmobile operation and insurance, miscellaneous items, and Librarian's expenses to S. C. Library Association meeting .....\$ 12,641.22

|   |        |
|---|--------|
| Discretionary fund (extra cleaning, expenses of special events, etc.) ..... | 275.00 |
|---|--------|

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\$ 12,916.22

*Provided*, that upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor, and the efficient use of such funds in establishing and improving public library service.

Item 18. Miscellaneous:

|   |           |
|---|-----------|
| Premium on Bonds .....  | \$ 900.00 |
| Post Mortems, Lunacy and Inquests .....   | 600.00    |
| County Attorney .....   | 150.00    |
| Board of Equalization .....   | 1,300.00  |
| County Audit .....  | 1,200.00  |
| S. C. Industrial Commission .....   | 1,580.57  |
| S. C. Retirement System .....   | 3,483.26  |
| Social Security Trust Fund .....  | 2,650.00  |
| Contribution to Richardson-Walsh American Legion Hut .....                                      | 200.00    |
| Contribution to American Legion Post at Williston .....   | 200.00    |
| Contribution to American Legion Post at Blackville .....  | 200.00    |
| Contribution to Barnwell County National Guard Maintenance Fund .....                           | 750.00    |
| Blue Cross-Blue Shield .....  | 3,720.60  |
| Civil Defense (to be expended on approval of Barnwell County Legislative Delegation) ....       | 3,300.00  |
| Fifty per cent (50%) of salaries of two radio operators jointly operating radio service between |           |

|  |          |
|--|----------|
| the city of Barnwell and the county law enforcement officers ..... | 2,500.00 |
| Miscellaneous Contingent Fund .....                                | 3,000.00 |

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\$ 25,734.43

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GRAND TOTAL .....\$170,273.13

Less Estimated Revenue other than Taxes:

|                              |             |
|------------------------------|-------------|
| Fines and Licenses .....     | \$ 7,000.00 |
| Commutation Tax .....        | 3,000.00    |
| Gasoline Tax (1 cent) .....  | 64,000.00   |
| Insurance License Fees ..... | 11,800.00   |
| Liquor Tax .....             | 20,700.00   |
| Income Tax .....             | 19,500.00   |
| Miscellaneous .....          | 2,000.00    |

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\$128,000.00

Amount to be Raised by Taxation .....\$ 42,273.13

**SECTION 2.** On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be \$2.00 per year.

**SECTION 3.** The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

**SECTION 4.** Effective January 1, 1955, and each year thereafter, travel expense and/or travel expenses shall mean remuneration for services rendered.

**SECTION 5.** The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all of the expenditures made by the said County Board of Managers during the said fiscal year.

**SECTION 6.** No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

**SECTION 7.** *Provided,* That at the end of the fiscal year 1963-64 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any

other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

**SECTION 8.** In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

**SECTION 9.** All American Legion Huts in Barnwell County are exempted from county taxes.

**SECTION 10.** All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their duties in the sum of \$500.00 which said bond shall be approved by the County Board of Managers.

**SECTION 11.** That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

**SECTION 12.** The County Board of Managers and/or Supervisor are hereby directed to furnish from the chain gang a suitable trusty or trusties to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance Engineer for Public Buildings. *Provided*, The Board of Managers is authorized and directed to assign a trusty from the chain gang as a laborer at the county jail.

**SECTION 13.** The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

**SECTION 14.** In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

**SECTION 15.** There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of \$5.00 each per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

**SECTION 16.** Barnwell County is authorized to cooperate with any State or Federal Agency in providing additional recreational facilities for the county, and the county upon the approval of the Legislative Delegation is authorized to transfer such county property as may be necessary to accomplish this end.

**SECTION 17.** All expenditures heretofore made upon the approval of the Barnwell County Board of Managers and the County Delegation from either the general, special or surplus funds of the County are hereby approved and ratified.

**SECTION 18.** Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

**SECTION 19.** Grand and petit jurors shall each hereafter be paid at the rate of \$6.00 per court attendance day.

**SECTION 20.** *Provided,* That the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said offices shall be open shall be designated by the County Board of Managers.

**SECTION 21.** *Provided,* That the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

**SECTION 22.** That the Blackville Manufacturing Company and the Blackville Industrial Board, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1959. That the Shuron Optical Company, Division of Textron, and Barnwell Industries, Inc., and The Bud Berman Plant at Williston are hereby exempted from all county and school taxes for a period of five years beginning January 1, 1961.

This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County.

**SECTION 23.** Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a statement from such magistrate showing the name of the defendant, the offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the treasurer of Barnwell County on or before the first day of each month following the issuance of said statement. No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

**SECTION 24.** The County Board of Managers shall make checks payable to each employee and officer for compensation provided therefor in this act. No person's compensation shall be included in the check of any other person.

**SECTION 25.** All acts or parts of acts inconsistent herewith are repealed.

**SECTION 26.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R58, S115)

**No. 456**

**An Act To Empower The County Board Of Education Of Beaufort County To Borrow Not Exceeding Two Hundred Sixty-Five Thousand Dollars In Order To Provide Further Public School Facilities In School District No. 1 Of Beaufort County; To Prescribe The Terms And Conditions Under Which Such Borrowing Shall Be Effected; And To Make Provision For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that additional school facilities, in the form of an elementary school, are greatly needed on Lady's Island in School District No. 1 of Beaufort County, and that while the entitlements available to the school district pursuant to Article 2, Chapter 10, Title 21, of the 1962 Code, are not such as would permit the immediate construction of this facility, such entitlements over the next few ensuing years should be such as to provide the funds now required. It has, therefore, determined to authorize the County Board of Education of Beaufort County (the county board), as the governing board and central authority of the Beaufort County public school system, and the Treasurer of Beaufort County to borrow such sum as shall be required for the above purpose, in order that the construction of such facility can be instituted at once, under the terms and conditions of this act.

**SECTION 2. Beaufort County School District 1 may borrow money.**—If the Board of Trustees of School District No. 1 of Beaufort County shall approve and shall evidence such approval by the adoption of an appropriate resolution, the county board and the county treasurer shall be empowered to borrow not exceeding two hundred sixty-five thousand dollars for the purpose of making funds available for the construction and equipping of an elementary school building on Lady's Island in Beaufort County.

**SECTION 3. Note — date — interest — maturity — execution.**

—Such borrowing shall be evidenced by a note of School District No. 1 of Beaufort County, bearing such date and rate of interest, having such maturity, not exceeding five years from the date thereof, and in such form as the county board shall determine. Any note issued pursuant to this act shall be executed in such manner as the county board shall provide, but shall be countersigned or attested by the Treasurer of Beaufort County.

**SECTION 4. Manner—negotiation.**—The borrowing hereby authorized shall be effected in such manner as the county board shall determine and may be negotiated with the State Budget and Control Board of South Carolina, Division of Sinking Funds and Property, or with any private banking institution.

**SECTION 5. Date further.**—In fixing the date, interest payment date and maturity, the county board shall endeavor to make the same conform to the anticipated date on which entitlements pursuant to Article 2, Chapter 10, Title 21, of the 1962 Code, shall be received and all such entitlements to which School District No. 1 of Beaufort County shall become entitled shall be applied to the payment of the principal and interest of the loan, until it shall be paid in full, and for no other purpose.

**SECTION 6. Payment.**—For the payment of the loan, both principal and interest, the full faith and credit of School District No. 1 of Beaufort County shall be pledged and there shall be annually levied and collected by the Auditor and Treasurer of Beaufort County an ad valorem tax upon all taxable property in the district sufficient to provide for the payment of the principal and interest thereof, but the ad valorem tax shall be reduced to the extent that there shall be moneys available for the payment of the note from the entitlements to which School District No. 1 shall be entitled pursuant to Article 2, Chapter 10, Title 21, of the 1962 Code.

**SECTION 7. Powers to be additional.**—The powers granted by this act shall be in addition to all other powers granted to the county board.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R221, S272)

## No. 457

**An Act To Amend Act No. 784 Of The Acts Of 1954, As Amended, Relating To The Beaufort County Water Authority, So As To Further Provide For The Issuance Of Revenue Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Subsection 24, Section 4 of Act 784 of 1954 amended—authority may borrow money.**—The first paragraph of Subsection 24 of Section 4 of Act No. 784 of the Acts of 1954, as amended, is amended by striking in its entirety and inserting in lieu thereof the following :

“(24) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its facilities. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the facilities, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to capitalize and pay interest for a period of three years from the date of delivery of the bonds, such sum as is needed to supply working capital to place the facilities in operation, and all other expenses of any sort that the Authority may incur in establishing, extending and enlarging the facilities. Neither the faith and credit of the State of South Carolina, nor of any county, municipality or political subdivision of the State shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the Authority nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the Authority shall be fully empowered to avail itself of all power granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, Code of Laws of South Carolina for 1962, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these Code provisions shall be deemed to amend and revise correspondingly the powers granted by this section. In exercising the power conferred upon the Authority by such Code provisions, the Authority may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in

any of such Code provisions, if contrary provisions there be, the Authority may:"

**SECTION 2. Subsection 24, Section 4 of Act 784 of 1954 amended—item (j) added—maturity of bonds.**—Subsection 24 of Section 4 of Act No. 784 of the Acts of 1954, as amended, is amended by adding at the end thereof the following:

"(j) Provide that all bonds of any issue mature at a fixed time in lieu of serial maturities as contemplated by Section 59-382, Code of Laws of South Carolina, 1962."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R249, S268)

**No. 458**

**An Act To Provide For The Addition To And Construction Of A Road In The State Highway System In Beaufort County And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department to construct road in Beaufort County.**—The South Carolina State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Beaufort County as follows:

Section of road from Road 49 at the park superintendent's home on Hunting Island State Park and extending in a southwesterly direction to Fripp Inlet, a distance of approximately 2.8 miles.

**SECTION 2. Payment.**—Cost of constructing the road provided for in this act shall be charged to the Federal Aid Secondary Highway Funds accruing to Beaufort County.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

(R277, H1573)

## No. 459

**An Act To Amend Section 6 Of Act No. 776 Of 1954 Relating To A Special Fund Set Aside By The Treasurer Of Beaufort County For The Payment Of Certain Bonds, So As To Authorize The Transfer Of A Portion Of Such Fund To A Special Account For Use Under Certain Conditions.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 6 of Act 776 of 1954 amended—special fund—transfers from.**—Section 6 of Act No. 776 of 1954 is amended by adding at the end thereof the following: "*Provided*, that the treasurer is authorized to transfer to a special account such portion of the special fund as is not required to meet the payment of accrued principal and interest of such bonds. Subject to approval by a majority of the county legislative delegation, the funds so transferred shall be used for the completion of the existing county maintenance shop near the Town of Burton in Beaufort County." The section when amended shall read as follows:

"Section 6. The bonds issued hereunder shall be payable solely from the rentals to accrue under said lease, and, upon the collection of the tax provided for in Section 5, *supra*, the same shall be set apart in a special fund by the Treasurer of Beaufort County and applied by him directly to the payment of the principal and interest of the bonds. *Provided*, that the treasurer is authorized to transfer to a special account such portion of the special fund as is not required to meet the payment of accrued principal and interest of such bonds. Subject to approval by a majority of the county legislative delegation, the funds so transferred shall be used for the completion of the existing county maintenance shop near the Town of Burton in Beaufort County."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R481, S324)

## No. 460

**An Act To Authorize The City Of Beaufort To Convey A Lot Within The Municipal Limits To Harold Eugene Trask.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. City of Beaufort to convey certain property.—**

The City of Beaufort is authorized to convey to Harold Eugene Trask, in consideration of one dollar, the lot conveyed by him to the City of Beaufort as recorded in Book 70, page 369, in the office of the Clerk of Court for Beaufort County, which is described as follows:

All that certain piece, parcel or lot of land, situate, lying and being in the City of Beaufort, County of Beaufort, and State of South Carolina, and designated as Lot Number Eighty-one (81) on that certain map or plat of Hundred Pines Section of the City of Beaufort, South Carolina, made for The Waterhouse Corporation by J. W. Gray, Jr., Surveyor, May 2, 1938, and recorded in Plat Book 4, Page 42, in the office of the Clerk of Court of Beaufort County, South Carolina; said lot herein conveyed being more fully described as follows, to wit:

Bounded on the North by Lot Number Eighty of said Hundred Pines Section or Subdivision; on the East by Lot Number Eighty-two of said Section or Subdivision; and on the South and West by South Hermitage Road, all of which is fully shown on the Plat hereinabove mentioned; said lot herein conveyed measuring two hundred and ninety-one (291) feet on its Northern Boundary Line; seventy-five (75) feet on its Eastern Boundary Line; two hundred and seventy-one (271) feet on its Southern Boundary Line, and one hundred (100) feet on its Western boundary line.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R664, H1818)

**No. 461**

**An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1963-1964 And Direct The Expenditure Thereof In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and school purposes, for the fiscal year beginning July 1, 1963 and ending June 30, 1964, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

**SECTION 2.** For the fiscal year commencing July 1, 1963 there is hereby appropriated out of the general funds, if so much be necessary, the following:

Item 1. Roads, Bridges, Landings, Docks and Drainage:

|   |              |
|---|--------------|
| Supplies and materials .....                          | \$ 26,000.00 |
| Fuels and lubricants .....                            | 9,000.00     |
| Rights of way, borrow pits and engineering ...        | 1,500.00     |
| Machinery and equipment, maintenance and repair ..... | 10,000.00    |
| Equipment purchase .....                              | 16,300.00    |
| Mosquito Control (Trial Program) .....                | 3,000.00     |

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Total, Item 1 ..... 65,800.00

*Provided*, that the Road Supervisor shall advertise and receive sealed bids in the purchase of all equipment and supplies of a value in excess of two hundred dollars where practicable. These purchases shall be made only with a purchase order approved by the County Board of Directors or its duly authorized agent. *Provided*, that the Beaufort County Board of Directors may enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the county airports, and further that the Beaufort County Board of Directors if deemed advisable, may enter into leases with any corporation or individual for the operation and maintenance or maintenance of the Beaufort County Airports.

The Beaufort County Board of Directors is authorized to maintain and construct roadside parks.

*Provided*, further, that any drainage projects upon which funds from this item are expended shall be according to plans and specifications approved by the Soil Conservation Service of the United States. *Provided*, further, that before any road shall be accepted by the board of directors for maintenance by the county, deeds of rights of way therein shall be obtained conveying rights of way meeting at least the minimum requirements of the S. C. State Highway Department with respect to state secondary highways, and no paved road shall be accepted which does not meet at least the minimum standards set by the South Carolina Highway Department for its secondary roads.

Item 2. Salaries:

Elected Officials:

|               |             |
|---------------|-------------|
| Auditor ..... | \$ 3,352.00 |
|---------------|-------------|

*Provided*, the Auditor shall receive from the State the additional sum of \$3,848.00.

|                      |          |
|----------------------|----------|
| Clerk of Court ..... | 2,286.90 |
|----------------------|----------|

|               |          |
|---------------|----------|
| Coroner ..... | 1,386.00 |
|---------------|----------|

|                                    |        |
|------------------------------------|--------|
| Directors, Chairman of Board ..... | 526.50 |
|------------------------------------|--------|

|   |          |
|---|----------|
| Directors, Members of Board (4 @ \$393.50) .. | 1,574.00 |
|---|----------|

|                     |          |
|---------------------|----------|
| Probate Judge ..... | 5,000.00 |
|---------------------|----------|

*Provided*, the Judge of Probate is authorized to charge a fee of five dollars for marriage licenses to be paid to the Treasurer of Beaufort County after December 31, 1962.

|               |          |
|---------------|----------|
| Sheriff ..... | 8,700.00 |
|---------------|----------|

|                  |          |
|------------------|----------|
| Supervisor ..... | 6,500.00 |
|------------------|----------|

|                 |          |
|-----------------|----------|
| Treasurer ..... | 3,352.00 |
|-----------------|----------|

*Provided*, the Treasurer shall receive from the State the additional sum of \$3,848.00.

Magistrates:

|                         |          |
|-------------------------|----------|
| Beaufort Township ..... | 2,860.00 |
|-------------------------|----------|

|                           |          |
|---------------------------|----------|
| St. Helena Township ..... | 1,850.00 |
|---------------------------|----------|

|  |          |
|--|----------|
| Sheldon Township .....   | 1,600.00 |
| Bluffton Township .....  | 1,300.00 |
| Hilton Head .....  | 1,100.00 |
| Daufuskie Island .....   | 700.00   |
| Constable, Daufuskie Island .....  | 312.00   |
| Attorney .....   | 300.00   |
| Special Tax Assessor .....   | 6,000.00 |
| Office Expenses, including mileage at the rate of<br>nine cents a mile ..... | 800.00   |

*Provided*, the Special Tax Assessor shall have the sole charge of and responsibility for the county's blueprint machine and shall charge for, collect and remit to the County Treasurer all funds received for the use of such machine other than for county purposes.

|  |          |
|--|----------|
| Clerk, County Board of Directors .....         | 4,400.00 |
| Clerk, Treasurer's Office .....                | 3,120.00 |
| Clerk, Delinquent Tax, Treasurer's Office .... | 3,600.00 |
| Clerk, Auditor's Office .....                  | 3,120.00 |
| Deputy Clerk of Court .....                    | 2,860.00 |
| 3 General Steno-Clerks .....                   | 9,000.00 |

*Provided*, that the three General Steno-clerks shall be employed by and be responsible to the County Board of Directors and shall be assigned to county offices at such times as shall be directed by the County Board acting through its clerk.

|   |           |
|---|-----------|
| Secretary, Legislative Delegation ..... | 1,500.00  |
| Sheriff's Department:                   |           |
| Chief Deputy Sheriff .....              | 5,400.00  |
| Sergeant (Deputy) .....                 | 5,100.00  |
| Night Deputy Sheriff .....              | 3,550.00  |
| Deputy Sheriffs .....                   | 28,314.00 |
| Jailor .....                            | 2,746.70  |
| Clerk for Sheriff's Office .....        | 2,600.00  |

*Provided*, the Sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the Special Tax Assessor and the Auditor to accomplish the purposes of such act; and shall take out warrants and prosecute violations of such

act. *Provided*, further, that two Deputy Sheriffs shall be assigned for duty in Bluffton and Hilton Head Townships.

Roads and Bridges:

Salaries and Wages of Employees ..... 57,500.00

Janitors:

Courthouse ..... 2,178.00

County Office Building ..... 2,178.00

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Total, Item 2 ..... \$186,666.10

Item 3. Personnel Benefits, County's Share:

Police Officer Retirement ..... \$ 3,800.00

S. C. Retirement System ..... 7,220.00

Social Security ..... 8,100.00

Workmen's Compensation Insurance ..... 2,200.00

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Total, Item 3 ..... \$ 21,320.00

Item 4. Travel:

County Service Officer @ \$100.00 per month .. \$ 1,200.00

Coroner @ \$50.00 per month ..... 600.00

All other County Officers ..... 300.00

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Total, Item 4 ..... \$ 2,100.00

*Provided*, the members of the County Board of Directors shall be allowed nine cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding two dollars per day for each day in attendance on such meetings of the board. The directors, showing mileage traveled and expenses incurred in attendance, shall file a statement with the clerk of the board of directors.

Item 5. Surety Bonds and Insurance Premiums ..... \$ 5,500.00

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Total, Item 5 ..... \$ 5,500.00

Item 6. Sheriff's Expenses:

Operation of Department, purchase, maintenance  
and repair of equipment ..... \$ 14,000.00

|  |          |
|--|----------|
| Special Deputies—Hilton Head and Hunting<br>Island ..... | 900.00   |
| Vehicle purchase .....                                   | 4,000.00 |

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Total, Item 6 ..... \$ 18,900.00

Item 7. Jail Expenses:

|                      |              |
|----------------------|--------------|
| Subsistence .....    | \$ 10,000.00 |
| Other expenses ..... | 2,500.00     |

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Total, Item 7 ..... \$ 12,500.00

*Provided*, the amount of money herein appropriated under Item 7 for Jail Expenses shall include the dieting of prisoners and chain gang; *provided*, further, that the jailer shall diet all prisoners in his care for eighty-five cents per day for each prisoner. The jailer shall, at the end of each month, file with the County Board of Directors an itemized statement showing the number of prisoners dieted each day during the month and he shall be reimbursed at the rate above provided. Prisoners from municipalities within Beaufort County may be lodged at a charge of one dollar and fifty cents per diem per prisoner, which total amount shall be credited to Item 7.

Item 8. Public Buildings:

|                               |             |
|-------------------------------|-------------|
| Repairs and maintenance ..... | \$ 4,500.00 |
| Utilities .....               | 13,000.00   |
| Cleaning Supplies .....       | 900.00      |
| Fuel .....                    | 2,500.00    |
| Insurance .....               | 2,500.00    |

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Total, Item 8 ..... \$ 23,400.00

*Provided*, the amount of money herein appropriated for Public Buildings shall include fuel necessary for the use of Beaufort County Jail and the monthly base rate for phone service at Lady's Island fire tower, and base rate for phone service for each South Carolina highway patrolman stationed in Beaufort County. Any

income received from any agency for rent or in lieu of rent shall be credited to this item.

- Item 9. Printing, Postage and Stationery ..... \$ 11,000.00  
*Provided*, that no purchase shall be made under this item in excess of one hundred dollars except upon competitive bids where practicable.

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Total, Item 9 ..... \$ 11,000.00

- Item 10. Post Mortems, Lunacies, etc. .... \$ 1,800.00

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Total, Item 10 ..... \$ 1,800.00

- Item 11. Health Unit:

Health Unit ..... \$ 24,500.00

*Provided*, that a clerk be provided for the Bluffton-Hilton Head area.

*Provided*, the above appropriation for expense of Health Unit shall be paid out as directed by the State Health Officer.

Social Diseases ..... 1,000.00

*Provided*, the above appropriation for Social Diseases shall not be used until the sum of two thousand five hundred dollars is made available by the State Board of Health, the Federal Government, or any agency thereof.

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Total, Item 11 ..... \$ 25,500.00

- Item 12. Farm and Home Demonstration:

Office Rent ..... \$ 1,932.00

White:

Salary County Agent ..... 300.00

Contingent Fund, County Agent ..... 100.00

Clerical Assistance, County Agent and Home Agent ..... 420.00

Contingent Fund, Home Demonstration Agent 135.00

Salary, Home Demonstration Agent ..... 300.00

4-H Camp ..... 200.00

Colored:

Salary, County Agent ..... 748.68

Salary, Home Demonstration Agent ..... 740.00

|          |   |                    |
|----------|---|--------------------|
|          | Clerical Assistance, County and Home Demonstration Agents .....   | 1,500.00           |
|          | Demonstration Supplies, Home and County Agents .....  | 100.00             |
|          | 4-H Camps .....   | 200.00             |
|          | <hr/> Total, Item 12 .....  | <hr/> \$ 6,675.68  |
| Item 13. | Department of Public Welfare:   |                    |
|          | Salary supplement for Director .....  | \$ 1,500.00        |
|          | Salary supplement for Child Welfare Workers .....   | 840.00             |
|          | Mileage for Child Welfare workers .....   | 600.00             |
|          | Emergency and Administrative funds .....  | 1,560.00           |
|          | Foster Care Fund .....  | 300.00             |
|          | <hr/> Total, Item 13 .....  | <hr/> \$ 4,800.00  |
| Item 14. | Miscellaneous:  |                    |
|          | Board of Registration .....   | \$ 200.00          |
|          | National Guard Unit .....   | 500.00             |
|          | Beaufort County Civil Defense .....   | 4,000.00           |
|          | <i>Provided</i> , that the above funds shall be expended only after the approval of the budget by a majority of the legislative delegation, including the Senator.                    |                    |
|          | Vital Statistics .....  | 550.00             |
|          | Beaufort County Chamber of Commerce .....   | 4,500.00           |
|          | Hilton Head Chamber of Commerce .....   | 2,000.00           |
|          | Water Festival .....  | 1,000.00           |
|          | <hr/> Total, Item 14 .....  | <hr/> \$ 12,750.00 |
| Item 15. | Jurors, Witnesses and Court Bailiffs .....  | \$ 6,000.00        |
|          | <i>Provided</i> , the clerk of court and the sheriff shall pay a per diem of five dollars to all persons serving as jurors or court bailiffs and three dollars per diem to witnesses. |                    |
|          | <hr/> Total, Item 15 .....  | <hr/> \$ 6,000.00  |
| Item 16. | Beaufort County Development Board:  |                    |
|          | Secretary .....   | \$ 2,000.00        |
|          | Office Expenses .....   | 700.00             |

|   |          |
|---|----------|
| Travel Expenses .....                         | 2,500.00 |
| Professional and Engineering Fees .....       | 3,000.00 |
| Per Diem for Board and Miscellaneous .....    | 3,000.00 |
| Advertising, Promotion and Publications ..... | 4,000.00 |

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Total, Item 16 .....\$ 15,200.00

*Provided*, that the facilities and employees shall be available for use of the Beaufort County Water Authority.

Item 17. Beaufort County Water Authority .....\$ 2,000.00

*Provided*, that the funds appropriated under this item shall be expended only upon the prior approval of the majority of the Beaufort County Legislative Delegation.

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Total, Item 17 .....\$ 2,000.00

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GRAND TOTAL .....\$421,911.78

**SECTION 3.** Building permits may be issued by the auditor, magistrates or Sheriff of Beaufort County and shall identify the property upon which the construction is proposed to be done in such manner as to enable the Special Tax Assessor to determine the exact location thereof. The person issuing the permit shall assist the Tax Assessor in locating such property on the county tax maps.

On or before the tenth day of each month, a record of all building permits issued during the preceding month shall be filed with the Special Tax Assessor and salary shall be withheld from any officer failing to comply with this paragraph.

**SECTION 4.** There is hereby appropriated out of the general county funds the sum of thirteen thousand dollars, if so much be necessary, as a contingent fund, three thousand dollars of which may be spent upon the direction of the County Board of Directors to take care of any contingencies arising in the administration of matters for which appropriations are made, and ten thousand dollars of which may be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator, to take care of any contingencies arising for which no appropriations are made.

**SECTION 5.** All monies paid to the Treasurer, the Sheriff or other public officials of Beaufort County, as interest on the deposit of funds in their custody, shall be accounted for by such officials as public funds are accounted for. The interest received on account of such deposit of funds shall be added to the principal of such fund.

**SECTION 6.** All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the county board of directors, the county board of education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of nine cents per mile.

**SECTION 7.** The county treasurer is hereby authorized to borrow, in anticipation of the collection of taxes herein levied for general purposes and of other funds to be credited to the general county account, in an amount not to exceed fifty thousand dollars, if same be necessary; and he is hereby also authorized to borrow, in anticipation of school taxes herein levied, in an amount not to exceed one hundred fifty thousand dollars; if the funds are available in sinking funds in his hands the treasurer may loan such amount, taking the note of the county board of education, payable in not more than ten months, and bearing interest at not more than four per cent per annum. All interest earned on such loans shall be credited to the account from which the loan was made.

**SECTION 8.** For the maintenance of Beaufort County Library there is hereby appropriated the sum of twenty-one thousand dollars, and the Auditor and Treasurer of Beaufort County are hereby authorized to levy and collect the necessary number of mills on all taxable property in Beaufort County, to be expended by the trustees of the library. The county treasurer, on or about the first day of February of each year, shall report to the legislative delegation all funds collected from this source as well as showing all amounts turned over to the trustees of the library. All unexpended funds collected for the purpose herein stated which remain unexpended at the end of each year, shall be credited by the county treasurer to the trustees of the library for the ensuing year and shall not be turned into the county funds.

**SECTION 9.** To finance the maintenance and operation of the public school system of Beaufort County for the school year 1963-1964, there is hereby appropriated the sum of two million, one hundred twenty-two thousand, six hundred seventy-three dollars, to be expended for the following purposes in the amounts indicated.

|                       | <i>Dist. No. 1</i> | <i>Dist. No. 2</i> | <i>County Board</i> | <i>Total</i>       |
|-----------------------|--------------------|--------------------|---------------------|--------------------|
| Administration .....  | 22,000.00          | 14,080.00          | 45,500.00           | 81,580.00          |
| Instruction .....     | 1,472,035.00       | 211,565.00         | .....               | 1,683,600.00       |
| Transportation .....  | 1,180.00           | 1,000.00           | .....               | 2,180.00           |
| Operation .....       | 104,600.00         | 25,742.00          | 850.00              | 131,192.00         |
| Maintenance .....     | 49,400.00          | 19,500.00          | 900.00              | 69,800.00          |
| Fixed Charges .....   | 14,000.00          | 3,300.00           | 125.00              | 17,425.00          |
| Food Services .....   | 17,000.00          | 4,256.00           | .....               | 21,256.00          |
| Capital Outlay .....  | 18,300.00          | 3,000.00           | 1,750.00            | 23,050.00          |
| Transportation .....  | 27,875.00          | 6,835.00           | .....               | 34,710.00          |
| Lunchroom .....       | .....              | .....              | 53,800.00           | 53,800.00          |
| Adult Education ..... | 3,000.00           | 1,080.00           | .....               | 4,080.00           |
|                       | <hr/> 1,729,390.00 | <hr/> 290,358.00   | <hr/> 102,925.00    | <hr/> 2,122,673.00 |

This appropriation is based upon estimated revenue from county, State and Federal sources, and if such funds as estimated are not available, the operating budget shall be reduced to conform to the revenue. Should any of the estimated revenues be increased, the appropriate item above may be increased proportionately.

All liquor, beer and wine tax, poll tax and dog tax accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State and all Federal aid under the Farm Veterans program, the G.I. Training program, and the School Lunch program, and any other funds which may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes. The auditor shall levy and the treasurer shall collect 38 mills for school purposes on all taxable property of the county.

The Beaufort County Board of Education is authorized to expend out of funds on hand so much as may be necessary to pave driveways and parking areas at the various schools within the county. Such paving shall be done pursuant to contracts let by the South Carolina State Highway Department.

**SECTION 10.** To finance the maintenance and operation of the University of South Carolina Extension at Beaufort, S. C., there is

hereby appropriated the sum of ten thousand, seven hundred fifty-two dollars and ninety-five cents to be expended as follows:

|   |              |
|---|--------------|
| Building Maintenance .....                          | \$ 2,400.00  |
| Office Equipment, supplies and classroom furniture. | 1,600.00     |
| Teaching Aids and Lab Supplies .....                | 1,500.00     |
| Janitorial Supplies .....                           | 500.00       |
| Surgical Leasing .....                              | 242.95       |
| Guarantee to University of South Carolina for Li-   |              |
| brary Fee .....                                     | 4,000.00     |
| Typewriter Repair Fees .....                        | 210.00       |
| Contingency .....                                   | 300.00       |
| <hr/>   |              |
| Total .....   | \$ 10,752.95 |

The Beaufort County Education Commission shall administer the expenditure of these funds. The appropriation herein provided shall be included in the levy for educational purposes. Any sums unexpended of the within appropriated funds shall revert to the general fund of Beaufort County.

**SECTION 11.** The county board of education is directed and authorized to pay out of the salary appropriated in Section 9 for Administration the following:

Salary—Superintendent of Education .....\$ 1,320.00

The salary herein provided for the superintendent of education shall be in addition to and shall supplement the appropriation made in the State Appropriation Act for the salary of the county superintendent of education. The salary hereinabove provided to be paid by Beaufort County shall be paid in equal monthly installments.

**SECTION 12.** Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the county superintendent of education.

**SECTION 13.** For the operation and maintenance of Beaufort Memorial Hospital, there is hereby appropriated the sum of fifteen thousand dollars, if so much be necessary, to be paid to Beaufort Memorial Hospital in equal quarterly installments.

On the request of the Board of Regents, the Beaufort Memorial Hospital Association, or its duly authorized agent, the Sheriff of Beaufort County shall provide transportation from any part of Beaufort County to the Beaufort Memorial Hospital of charity patients in the event of an emergency or a great need for the early transportation of such patient or patients to the hospital for the emergency or urgent treatment, operation, etc.

The Board of Regents of the Beaufort Memorial Hospital are authorized to expend such sums of money from this appropriation or from moneys on hand as they shall deem advisable for the beautification and maintenance of The Kate Gleason Memorial Park adjacent to the hospital not to exceed \$2,000.00.

**SECTION 14.** In order to facilitate the preparing of the county appropriation act by the Legislative Delegation, the county treasurer shall, on or before the first day of April of each year, in writing, report to the Legislative Delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on bonds. The county treasurer shall annually, not later than April first of each year, furnish the members of the Legislative Delegation with a detailed statement of the status of the bond account, school, county and Township of Beaufort County.

The County Board of Education of Beaufort County shall, on or before the first day of April of each year, report to the Legislative Delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the Legislative Delegation, on or before April first of each year an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the Legislative Delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

**SECTION 15.** All transfers of funds heretofore made by the county treasurer from one account to another, made upon the written request of a majority of the Beaufort County Legislative Delegation, including the Senator, are hereby validated.

**SECTION 16.** There is hereby appropriated the sum of two thousand dollars, if so much be necessary, for the establishment of a modern and efficient bookkeeping system and to have an audit made of county offices. A copy of the audit shall be forwarded to each member of the Legislative delegation, solicitor and foreman of the grand jury.

**SECTION 17.** Any motor vehicle confiscated pursuant to law by enforcement officials of Beaufort County and any motor vehicle abandoned on the highways of Beaufort County and unclaimed after the notice provided for by law may be retained by such confiscating authorities for use in law enforcement purposes within the county. Funds derived from the sale of such vehicles shall be paid into the general fund of Beaufort County.

*Provided*, an inventory of all vehicles and equipment retained by the confiscating authority shall be furnished to the County Board of Directors semiannually.

**SECTION 18.** The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose and the rental of such equipment shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

*Provided*, that upon the board of directors' determination that an emergency need for the equipment exists, the above limitations shall not apply.

*Provided*, further, that the above limitation shall not apply when rented to the State, any subdivision thereof or municipality.

**SECTION 19.** For the operation of parks, playgrounds and recreation program in Beaufort Township, there is hereby appropriated the sum of six thousand dollars, and the auditor and treasurer are hereby authorized to levy and collect the necessary number of mills on all taxable property in Beaufort Township. These funds may be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator.

**SECTION 19-A.** Where practical, holidays as set forth in Sections 64-151 to 64-153 of the 1962 Code shall be observed by all county offices.

**SECTION 20.** Any amount appropriated in this act may be discontinued at any time by an order of a majority of the Beaufort County Legislative Delegation, including the Senator, obtained at a regularly called meeting.

**SECTION 21.** The Treasurer of Beaufort County is hereby authorized, upon approval by a majority of the legislative delegation, including the Senator, to borrow for general county purposes not exceeding one hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Beaufort County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

For the payment of the note or notes, the Auditor of Beaufort County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 22.** All funds not necessary for current operating expenses shall be deposited or invested as provided in Section 65-2015 of the 1962 Code.

**SECTION 23.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R146, H1327)

**No. 462**

**An Act To Authorize The County Supervisor And The County Treasurer Of Berkeley County To Issue And Sell Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Berkeley County; To Prescribe The Purposes For Which The Bonds Shall Be Issued; To Make Provision For The Payment Of The Bonds; And To Repeal Part III Of Act No. 1044 Of 1962, Authorizing A Similar Bond Issue.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 841 of the Acts of 1962, now in the process of amendment by legislation enacted in *pari materia*, there has been created and is in existence the Area Commission for the Charleston Technical Education Center. The Area Commission has been created in order that the Counties of Berkeley, Charleston and Dorchester may cooperate with the program instituted by Article 7, Chapter 15, Title 21, of the 1962 Code.

The General Assembly further finds that there is an immediate need that such program be instituted promptly for the area affected. Under the provisions of the State program it is required that cooperating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain them. Surveys conducted indicate that a suitable building, or buildings, with appropriate facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in Berkeley, Charleston and Dorchester Counties. The General Assembly has, therefore, determined to empower the County Supervisor and the County Treasurer of Berkeley County to issue general obligation bonds of Berkeley County, to the extent herein provided, in order to provide Berkeley County's share of the funds required for the construction and equipping of suitable facilities. In so determining, the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is, therefore, one which counties are authorized to undertake pursuant to Section 6 of Article X of the Constitution of South Carolina.

**SECTION 2. Berkeley County may issue bonds for Area Commission.**—In order to provide funds to be expended by the Area

Commission for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Supervisor and the County Treasurer of Berkeley County are hereby authorized and empowered to issue and sell general obligation bonds of Berkeley County in an aggregate principal amount not exceeding one hundred seventy-five thousand dollars.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations—maturity.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the county supervisor and county treasurer shall provide, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the county supervisor and county treasurer, but no bond shall be redeemable before maturity unless it contains a statement to the effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Berkeley County, upon such conditions as the county supervisor and county treasurer may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the county supervisor and county treasurer shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the county supervisor and county treasurer.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county supervisor and county treasurer shall by resolution prescribe.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Berkeley County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Berkeley County, and collected by the Treasurer of Berkeley County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Berkeley County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522, of the 1962 Code.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Berkeley County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the County Supervisor and County Treasurer of Berkeley County, to defray the cost of issuing the bonds authorized hereby, and to pay the costs incurred in the acquisition, construction and equipping of facilities of the sort described in Section 1.

(d) If any balance remain, it shall be held by the Treasurer of Berkeley County in a special fund and used to affect the retirement of bonds authorized hereby.

**SECTION 14. Powers to be additional.**—The powers and authorizations hereby conferred upon the county supervisor and county treasurer shall be in addition to all other powers and authorizations previously vested therein and may be exercised either independently of or concurrently with comparable action authorized for the governing agencies of Charleston and Dorchester Counties, who by legislation enacted in *pari materia* have been authorized to issue bonds to provide the respective shares of those counties of the cost of the program contemplated by this act.

**SECTION 15. Part III of Act 1044 of 1962, repealed.**—Part III of Act No. 1044 of the Acts of 1962 is repealed.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R647, H1705)

### No. 463

**An Act To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1963; To Direct The Expenditures For General County Purposes; And Relating To The Administration Of The Business Of Berkeley County; And To Provide That The Treasurer And Supervisor Of Berkeley County May Borrow Two Hundred Thousand Dollars For General County Purposes And To Provide For Repayment; To Provide For The Levy Of Taxes For The Treasurer's Reserve Fund; And To Authorize The County Supervisor To Sell And Convey Certain Properties.**

Be it enacted by the General Assembly of the State of South Carolina:

### PART I

**SECTION 1.** A tax of sixteen mills is hereby levied upon all the taxable property of Berkeley County for county purposes for the fiscal year beginning July 1, 1963, which, together with all the monies then in the hands of the county treasurer, or coming into his hands after July 1, 1963, from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the county and

not specifically pledged for some other purpose, shall be used and the same is hereby appropriated in the amount and for the purposes hereinafter stated:

Item 1. Roads, Bridges and Drainage .....\$ 72,000.00

Total, Item 1 .....\$ 72,000.00

Item 2. Salaries:

A. Clerk of Court .....\$ 8,750.00

B. Clerks to Clerk of Court and R. M. C. (3) ... 9,900.00

C. Sheriff ..... 5,000.00

*Provided*, the Sheriff shall receive an allowance of \$250.00 per month for travel and expenses. 3,000.00

*Provided*, further, the Sheriff shall be furnished an automobile for official duties; and the Sheriff's office shall retain fees for service of papers.  
*Provided*, further, funds derived from the sale of automobiles confiscated by the Sheriff's office shall be earmarked for the purchase of automobiles for this office; and the Sheriff's office may use automobiles confiscated rather than selling same.

D. Clerk to Sheriff ..... 3,300.00

E. (a) Seven Deputy Sheriffs, including travel, uniforms and decals ..... 35,200.00

(b) Radio system ..... 10,000.00

*Provided*, a breakdown of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.

(c) Radio-Teletype Operator ..... 3,600.00

F. Tax Collector ..... 4,000.00

*Provided*, the Tax Collector shall receive an allowance of \$200.00 per month for travel and expenses ..... 2,400.00

*Provided*, further, the Tax Collector shall be furnished an automobile for official duties.

G. Clerk to Tax Collector ..... 3,300.00

H. (a) Jailer ..... 3,300.00

(b) Matron for Jail—\$25.00 per month ..... 300.00

I. Treasurer (see proviso below) ..... 2,000.00

J. Clerks to Treasurer (2) ..... 6,600.00

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|--|----------|
| K. Auditor (see proviso below) .....   | 2,000.00 |
| L. Clerks to Auditor (2) .....   | 6,600.00 |
| <i>Provided</i> , the Auditor and Treasurer shall receive, in addition to the respective salaries, the fees of their offices as provided by law; the salary paid them by the State, which is \$3,848.00, and the sum of \$600.00 each for travel ..... |          |
| M. Probate Judge .....   | 4,000.00 |
| <i>Provided</i> , the Probate Judge shall receive all fees of the office, including marriage license fees.   |          |
| N. Clerk to Probate Judge .....  | 3,300.00 |
| O. (a) Master in Equity .....  | 2,000.00 |
| <i>Provided</i> , the Master shall receive all fees of the office.   |          |
| (b) Office Expenses .....  | 1,500.00 |
| P. Coroner .....   | 1,200.00 |
| Q. Supervisor .....  | 5,000.00 |
| <i>Provided</i> , the Supervisor shall also receive \$250.00 per month for travel .....  |          |
| R. Clerk to Supervisor .....   | 3,300.00 |
| S. Clerk to Solicitor .....  | 300.00   |
| T. County Attorney .....   | 3,600.00 |
| <i>Provided</i> , the County Attorney shall, upon official request, furnish legal advice and services to any person holding a county or school office.   |          |
| <i>Provided</i> , further, that he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the county or any school unit thereof.  |          |
| U. Assistant Solicitor .....   | 600.00   |
| V. Magistrates and Constables:   |          |
| (1) Nine Magistrates at \$720.00 each .....  | 6,480.00 |
| (2) One Magistrate at County Seat .....  | 1,920.00 |
| (3) One Magistrate at St. Stephen .....  | 1,320.00 |
| (4) One Magistrate at Bonneau .....  | 1,320.00 |
| (5) One Magistrate at Hanahan District ...   | 1,620.00 |
| (6) One Magistrate at Jamestown .....  | 1,320.00 |
| (7) One Magistrate at Goose Creek .....  | 1,320.00 |
| (8) Office rent for Magistrates .....  | 1,800.00 |
| <i>Provided</i> , that each magistrate before receiving his salary for any month shall file with the   |          |

county treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fines or sentences imposed or other disposition made of cases; and at such time shall pay over to the treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.

(9) Magistrates Constables ..... 20,760.00

*Provided*, that no Constable is provided for the Magistrate at the county seat as processes issued by him shall be served by the Sheriff's office.

W. Janitors—Office Building and Courthouse .... 7,200.00

X. Special Beach Deputies ..... 1,400.00

Y. Berkeley County Civil Defense ..... 7,500.00

*Provided*, a budget showing details of this appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.

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Total, Item 2 ..... \$192,210.00

Item 3. County Health Department:

Operation, Maintenance and Incidentals ..... \$ 15,000.00

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Total, Item 3 ..... \$ 15,000.00

Item 4. County Boards and Farm Offices:

A. County Board of Education (\$100.00 each) ... \$ 600.00

B. (1) Nine County Tax Assessors ..... 2,700.00

(2) Tax Board of Review ..... 7,300.00

C. Boys' 4-H Club Work ..... 300.00

D. Girls' 4-H Club Work and Women's Work ... 300.00

E. Clerk to Home Demonstration Agent (part time) ..... 540.00

F. Clerk to County Agent (Supplement) ..... 540.00

G. Demonstration Supplies, both offices ..... 100.00

H. Stamps and Incidentals, both offices ..... 50.00

I. Negro Agriculture Agent (Supplement) ..... 720.00

J. Negro Home Demonstration Agent (Supplement) ..... 720.00

|  |              |
|--|--------------|
| K. Negro Boys' 4-H Club Work .....   | 300.00       |
| L. Negro Girls' 4-H Club Work and Women's<br>Work .....  | 300.00       |
| M. Office expense—Negro Ag. and H.D. Agents .....  | 125.00       |
| N. Clerical expense—Negro Ag. and H.D. Agents .....  | 1,500.00     |
| O. Soil Conservation Committee .....   | 200.00       |
| P. Supplement County Agent and Associate Agent<br>for Travel, \$480.00 each .....  | 960.00       |
| Q. Home Demonstration Agent and Assistant<br>Agents for travel, \$480.00 each .....  | 1,440.00     |
| <hr/>  |              |
| Total, Item 4 .....  | \$ 18,695.00 |
| Item 5. Department of Public Welfare:  |              |
| A. Supplement to County Director's Salary .....  | \$ 600.00    |
| B. Travel for five Field Workers .....   | 2,000.00     |
| C. Foster Home Care .....  | 1,500.00     |
| D. Emergency Relief .....  | 2,000.00     |
| E. Conference Attendance Expenses .....  | 75.00        |
| F. Salary Supplement—Child Welfare Worker ...  | 1,500.00     |
| <hr/>  |              |
| Total, Item 5 .....  | \$ 7,675.00  |
| Item 6. Jail and Prisoners:  |              |
| A. Maintenance of Prisoners for dieting, etc.,<br>claims to be approved by Sheriff .....   | \$ 6,000.00  |
| B. Transporting Prisoners .....  | 500.00       |
| <hr/>  |              |
| Total, Item 6 .....  | \$ 6,500.00  |
| Item 7. Miscellaneous Appropriations:  |              |
| A. Jurors, Witnesses and Bailiffs .....  | \$ 4,000.00  |
| <i>Provided, that jurors at Coroner's inquest shall<br/>receive pay in the same manner and amount as<br/>circuit court jurors.</i> |              |
| B. Assistance to aged, helpless and poor by the<br>county .....  | 4,000.00     |
| C. Post-mortems, inquests and lunacies .....   | 1,000.00     |
| D. Courthouse and County Office Building—<br>Maintenance and Operation .....   | 18,000.00    |
| E. Social Security, Retirement and Insurance ...   | 27,000.00    |
| F. Printing, postage, record books, and office sup-<br>plies for county offices .....  | 7,000.00     |

*Provided*, prior to purchases desired hereunder, requisitions shall be made to the county supervisor and approved by him before such purchases shall be made.

G. Vital Statistics ..... 675.00

*Provided*, that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.

H. Berkeley County Library—salaries, operation and maintenance ..... 18,000.00

*Provided*, a budget showing details of the appropriation shall be approved by a majority of the county legislative delegation prior to disbursement.

I. Miscellaneous Contingent Fund ..... 5,000.00

J. Supplement for County Board of Registration—\$300.00 each ..... 900.00

K. Service Officer—travel and office expenses.... 600.00

*Provided*, that the Service Officer shall also be paid the full appropriation by the State for this office.

L. County Development Board ..... 7,500.00

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Total, Item 7 ..... \$ 93,675.00

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GRAND TOTAL—APPROPRIATIONS ..\$405,755.00

#### Estimated Revenue:

##### State Sources:

One cent gasoline tax (less \$11,500.00 pledged for Purchase of Machinery) ..... \$ 96,500.00

Income tax ..... 40,000.00

Alcoholic liquor tax ..... 30,000.00

Beer and wine tax ..... 8,000.00

Insurance license tax ..... 30,000.00

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Total derived from State Appropriations herein ..... \$204,500.00

##### County Sources:

Sixteen mills property tax executions and costs ..\$120,000.00

Road tax and executions ..... 15,000.00

|   |           |
|---|-----------|
| Fines, forfeitures and fees .....                     | 51,000.00 |
| Santee-Cooper payment in lieu of property taxes ..... | 15,500.00 |

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|---|--------------|
| Total derived from County Sources for Appropriations herein ..... | \$201,500.00 |
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|                                       |              |
|---------------------------------------|--------------|
| GRAND TOTAL — ESTIMATED REVENUE ..... | \$406,000.00 |
|---------------------------------------|--------------|

**SECTION 2.** For the purpose of providing hospital care for the indigent in Berkeley County, there is hereby levied a tax of four mills on all taxable property in Berkeley County. Such tax shall be levied and collected by the same officers and in the same manner as provided by law for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed to the credit of the Berkeley County Hospital, a private eleemosynary institution, and shall be paid by the county treasurer on warrants approved by the county supervisor. The funds provided herein are in addition to the allocation of fifty cents per capita from the income tax for hospital care under State law.

**SECTION 2A.** There is hereby levied on all the taxable property of Berkeley County, a tax of Four (4) mills, the proceeds of which shall be placed to the credit of the Treasurer's Reserve Fund. The tax shall be assessed and collected as other property taxes assessed and collected.

**SECTION 3.** All items herein which are to be paid out as salaries for officers or clerks of the county shall be expended in the usual manner in twelve equal monthly installments and not otherwise, and no more, and in case any officer or clerk, as aforesaid, shall resign, or otherwise vacate his or her office or position before the expiration of the fiscal year, he shall be entitled to monthly installments on a pro rata basis for the month, or parts of month actually served, and no more; *provided*, that all appropriations herein for clerks shall only be paid to clerks regularly employed and serving in the office in which employed during the office hours of such office. Each of the clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

**SECTION 4.** It is hereby reaffirmed by the county legislative delegation that all purchases paid for by the county shall be made from

business concerns within the county insofar as same is economically feasible and such purchases shall be fairly divided among the concerns in the county.

**SECTION 5.** For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1963, as authorized by this act, or otherwise appropriated, in anticipation of the collection of taxes, or the receipt of revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow, from time to time, as may be necessary in their judgment, on note or notes, or other evidences of indebtedness of the county, executed by said county officials from any person, firm or corporation, or from the Treasurer's Reserve Fund, or other dormant funds; and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the sixteen mill tax levied in Section 1 hereof, the four mills levied in Section 2 hereof, the commutation tax and any State revenues, may be pledged to secure the payment thereof; and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purposes for which they are borrowed.

**SECTION 6.** The Treasurer of Berkeley County shall be and he is hereby authorized to refund to any taxpayer the amount of taxes for any year which may have been collected by error.

**SECTION 7.** The fees and costs to be paid to the county treasurer as provided by law shall be paid to the person holding such office at the time the delinquent taxes on which such fees and costs are chargeable were placed with the proper official for collection of same.

**SECTION 8.** For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of Berkeley County shall levy a tax of not exceeding fifty mills, the exact millage to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1963, and approved by a majority of the county legislative delegation, upon the taxable property within the territorial limits of such district, which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, as provided in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the

same manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the county treasurer and paid out on warrants of the commissioners of the district.

**SECTION 9.** The Berkeley County Board of Education is authorized to continue the employment of Mrs. Lewis G. Fultz, Mrs. W. M. Bonner, Sr., and W. M. Bonner, Sr., notwithstanding the age requirement of the State Retirement System.

**SECTION 10.** In keeping with the established policy of allowing new industry five years' exemption from payment of taxes levied for county purposes, Craver Industries, Inc., is hereby exempted from the payment of property taxes for the year 1963 levied for county purposes. (A similar exemption will be carried for the next two consecutive years.)

**SECTION 11.** All county offices may be closed at twelve noon on each Wednesday during the months of June, July and August.

## **PART II**

### **TAX LEVY FOR SCHOOL PURPOSES**

**SECTION 1.** There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1963 a tax of forty mills, the proceeds of which shall be used for general school purposes for the fiscal year 1963-1964, such purposes to be set forth in the county school budget for such fiscal year to be adopted as provided by law. The tax shall be assessed and collected as other property taxes are assessed and collected.

## **PART III**

### **PERMANENT PROVISIONS**

**SECTION 1.** The Supervisor and Treasurer of Berkeley County are hereby authorized to borrow, not exceeding an aggregate amount of \$200,000.00 from the State Sinking Fund or from any lending institution at the rate of interest prescribed by law, if from said State Sinking Fund and at a rate of interest agreed upon by said officers, if borrowed from any other lending agency for general County purposes. The amount or amounts so borrowed shall be evidenced by a Note or Notes to be executed by the Supervisor and Treasurer of Berkeley County. The Note or Notes shall be payable in four

equal annual installments of Principal and interest and may contain such terms and conditions as may be agreed upon by said County officers. The Auditor of Berkeley County is hereby directed to levy and the Treasurer of said County to collect a sufficient number of mills on property annually to pay installments of principal and interest on said Note or Notes when same become due. The full faith, credit and taxing power of Berkeley County are hereby irrevocably pledged for the repayment of the loan herein authorized.

**SECTION 2.** The Supervisor of Berkeley County is hereby authorized and empowered to sell and convey to the Town of Moncks Corner certain properties adjacent to the Town Hall and Fire Station owned by Berkeley County at a consideration to be approved by said County Supervisor and the County Legislative Delegation.

#### PART IV

This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R123, H1324)

#### No. 464

#### **An Act To Make Supplemental Appropriations For The Fiscal Year 1962-1963 From The General Fund Of Calhoun County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** The following supplemental appropriations for the fiscal year 1962-1963 are made from the General Fund of Calhoun County:

|                            |             |
|----------------------------|-------------|
| Roads and Bridges .....    | \$ 8,500.00 |
| Sheriff's Travel .....     | 250.00      |
| Lunacies .....             | 50.00       |
| Retirement .....           | 1,500.00    |
| Public Buildings .....     | 2,000.00    |
| Court House Supplies ..... | 1,000.00    |
| Hospitalization .....      | 2,000.00    |
| Group Insurance .....      | 50.00       |
| Social Security .....      | 1,000.00    |
| Insurance on Autos .....   | 160.00      |

|                         |          |
|-------------------------|----------|
| Development Board ..... | 792.00   |
| Contingent .....        | 1,000.00 |

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\$ 18,302.00

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R646, H1645)

**No. 465**

**An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1963-1964, And For The Expenditure Thereof; And To Provide For Any And All Matters Pertaining To The Affairs Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified :

School District No. 1: 37 mills for the operation of the schools in said district.

School District No. 2: 40 mills for the operation of the schools in said district.

**SECTION 2.** For county purposes for Calhoun County for the fiscal year 1963-1964, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of eight mills upon all the taxable property of Calhoun County to meet the appropriations herein made for general county purposes after deducting all other available income and revenue.

|   |              |
|---|--------------|
| For construction and maintenance of roads and bridges and the support of county chain gang and floating gangs ..... | \$ 29,820.00 |
| Road machinery and equipment .....  | 3,925.00     |
| Clerk of Court .....  | 4,750.00     |
| Deputy Clerk of Court .....   | 2,178.00     |

|   |          |
|---|----------|
| Sheriff—said salary to be in lieu of all fees for services rendered to the county .....                                     | 4,750.00 |
| Travel allowance and automobile repairs for Sheriff (if so much be necessary) .....   | 800.00   |
| Deputy Sheriffs—2 @ \$2,700.00 each .....   | 5,400.00 |
| Travel allowance for deputies for use in their own cars—\$1,410.00 each .....   | 2,820.00 |
| Auditor .....   | 902.00   |
| Treasurer .....   | 902.00   |
| Clerical Assistance, Auditor .....  | 2,178.00 |
| Clerical Assistance, Treasurer .....  | 990.00   |
| Clerical Assistance, Superintendent of Education ..   | 100.00   |
| Travel Allowance, Superintendent of Education ....  | 200.00   |
| Attorney for County .....   | 660.00   |
| Coroner .....   | 660.00   |
| Travel allowance for Coroner .....  | 60.00    |
| Supervisor .....  | 4,750.00 |
| Travel Allowance for Supervisor, if so much be necessary .....  | 800.00   |
| Two County Commissioners, \$825.00 each .....   | 1,650.00 |
| Clerk to Board of County Commissioners .....  | 2,178.00 |
| Judge of Probate .....  | 4,750.00 |
| Constables:   |          |
| First District .....  | 1,320.00 |
| Second District .....   | 825.00   |
| Third District .....  | 825.00   |
| <i>Provided</i> , each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense ..... | 540.00   |
| Magistrates:  |          |
| First District .....  | 1,650.00 |
| Second District .....   | 1,056.00 |
| Third District .....  | 1,056.00 |
| Office Rent—Third District .....  | 120.00   |

*Provided*, the compensation provided for magistrates and constables is in lieu of all fees payable by the county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees, which shall be in addition

to their salaries: magistrates, one dollar, constables and sheriff, one dollar and mileage as provided in Section 27-451 of the 1962 Code, when prosecution in such cases is discontinued by settlement or compromise.

*Provided*, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrate at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of his duties and the premium paid thereon out of the county contingent fund.

|                                       |        |
|---------------------------------------|--------|
| Tax Collector .....                   | 495.00 |
| Travel Allowance, Tax Collector ..... | 150.00 |
| Board of Education .....              | 500.00 |
| Board of Equalization .....           | 300.00 |

*Provided*, members of the board shall be paid six dollars per day.

|   |          |
|---|----------|
| Jail expenses, including dieting of prisoners ..... | 1,200.00 |
|---|----------|

*Provided*, the Sheriff shall be allowed one dollar per day for dieting prisoners.

|   |          |
|---|----------|
| Jurors, Bailiffs, Deputy Clerks and Witnesses ..... | 1,500.00 |
|---|----------|

*Provided*, jurors in the general sessions and common pleas courts shall receive six dollars per day, and jurors in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.

|  |        |
|--|--------|
| D. P. W. Emergency Fund .....  | 200.00 |
| Contribution to Tuberculosis Work .....                                | 800.00 |
| Travel Allowances, County Lunch Supervisor ....                        | 300.00 |
| Rent, School Commodities Storage .....                                 | 300.00 |
| Travel Allowances, Attendance Supervisor .....                         | 300.00 |
| Travel Allowances, County Service Officer .....                        | 300.00 |
| Post Mortems and Inquests .....  | 100.00 |
| Burial of County Poor .....  | 100.00 |
| Lunacies (to be used for medical examination and transportation) ..... | 150.00 |
| Boys' 4-H Club .....   | 75.00  |
| Girls' 4-H Club .....  | 75.00  |
| Expense, Soil Conservation Supervisor .....                            | 100.00 |

|   |          |
|---|----------|
| Home Demonstration Agent, supplies, contingent, stamps, etc. ....   | 100.00   |
| Farm Agent, supplies, contingent, stamps, etc. ....   | 100.00   |
| Farm Agent's salary supplement .....  | 600.00   |
| Home Demonstration Agent's salary supplement ...  | 300.00   |
| Clerical Assistant for Home Demonstration Agent and County Agent .....  | 660.00   |
| County Libraries .....  | 8,175.00 |
| To be expended by a committee of four in charge of such library, to be appointed by the legislative delegation.   |          |
| For retirement of county officers and employees, if so much be necessary .....  | 2,755.00 |
| Workmen's Compensation Premium .....  | 1,800.00 |
| Public buildings, including janitor, water, lights, telephones and fuel .....   | 6,000.00 |
| <i>Provided</i> , the same to be used for county purposes only.   |          |
| Printing, postage, stationery, supplies and repairs for county buildings, including salary of \$300.00 per year to the county supervisor as custodian of such buildings .....   | 5,000.00 |
| <i>Provided</i> , the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of the supervisor, and when so approved by him shall be paid by the county board of commissioners.   |          |
| Miscellaneous Contingent .....  | 4,000.00 |
| <i>Provided</i> , such funds shall be disbursed only upon written consent and with the authority of the legislative delegation.   |          |
| Jailor .....  | 1,980.00 |
| Premiums on bonds for county officers .....   | 350.00   |
| Hospitalization fee .....   | 6,000.00 |
| <i>Provided</i> , that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with notice to any hospital to which such patient may be sent, that such payments will stop when the above amount has been exhausted and the county assumes no further respon- |          |

sibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.

|  |          |
|--|----------|
| County Health, if so much be necessary .....   | 6,100.00 |
| Vital Statistics .....   | 300.00   |
| County share, Group Insurance .....  | 600.00   |
| Historical Commission .....  | 1,980.00 |
| To be advanced in installments as may be approved by the county board of commissioners.  |          |
| Social Security .....  | 1,800.00 |
| Insurance on Sheriff's and Supervisor's automobiles  | 294.00   |
| Fire Insurance on county buildings .....   | 1,905.96 |
| Auditing the county affairs, 1962-1963 .....   | 675.00   |
| Rabies Control Officer, Travel .....   | 450.00   |
| <i>Provided</i> , this sum shall be paid in monthly installments.  |          |
| National Guard Armory, Supplies and Company Fund .....   | 600.00   |
| Development Board .....  | 500.00   |
| Expense for circuit court solicitor .....  | 200.00   |
| Clerical Help, Judge First Judicial Circuit .....  | 400.00   |
| County Civil Defense (if so much be necessary) ....  | 1,000.00 |
| <i>Provided</i> , that all expenditures from this fund shall be subject to the written approval of the legislative delegation. |          |

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GRAND TOTAL .....\$144,184.96

**SECTION 3.** The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings, parks, public landings and facilities as may be deemed necessary and advisable.

**SECTION 4.** All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

**SECTION 5.** If any of the sums above mentioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

**SECTION 6.** It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district, unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for such violations on his official bond; *provided*, however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided*, further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

**SECTION 7.** The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

**SECTION 8.** The supervisor shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the supervisor, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided*, however, the sheriff shall have entire oversight and care of the jail and he shall employ the jailor for the same.

**SECTION 9.** The county board of commissioners shall appoint a bank or banks as depositories in which the county treasurer shall

deposit all monies coming into his hands as an officer; which appointment shall be by proper resolutions spread upon the minutes of the board. Such board shall from time to time, by resolution spread upon its minutes, make such requirements as may be deemed necessary for the safety of such funds so deposited, not inconsistent with the general laws of the State. If any of such funds are dissipated or lost by reason of the insolvency or failure of any such depository, then such dissipation or loss shall not constitute a liability on the official bond of the county treasurer nor a liability on the sureties thereon. In the event of the dissipation or loss of any such funds because of such insolvency or failure the county and State shall have a preferred claim against such bank for the amount of such dissipation or loss.

**SECTION 10.** All appropriations made herein are subject to the right and authority of the Calhoun County Legislative Delegation to change, alter, or deduct therefrom at any time, without notice, when in its judgment, such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided*, that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

**SECTION 11.** All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

**SECTION 12.** Appropriations of State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

**SECTION 13.** Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

**SECTION 14.** All county offices shall be open between the hours of 9 A. M. and 5 P. M., during the week, except on Wednesdays and Saturdays, when they shall close at 1 P. M., and on holidays, and with the further exception of offices with only one officer, and it is necessary for him to be out in the field on work in regard to his office. *Provided*, in the event of an emergency the offices may be closed with the approval of the legislative delegation.

**SECTION 15.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R101, H1231)

**No. 466**

**An Act To Authorize St. Andrews Public Service District Commission To Issue Not Exceeding One Hundred Twenty Thousand Dollars Of General Obligation Bonds Of The District; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used; To Prescribe The Terms And Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.**

Whereas, the General Assembly finds that St. Andrews Public Service District in Charleston County is a special purpose district heretofore created by Act No. 443 of 1949, and therein was given divers functions, including the function of providing fire protection and garbage disposal facilities in the district. Subsequent legislation modifying the territorial limits of the district and enlarging its functions have not disturbed the aforesaid functions. The territory of the district includes and is comprised of the territories and areas in St. Andrews Parish in Charleston County delineated on a plat of St. Andrews Public Service District which was recorded in the office of the Register of Mesne Conveyances for Charleston County, in Plat Book "N", at page 101; and

Whereas, the General Assembly now finds that a number of capital outlays are required to maintain proper fire protection and garbage disposal facilities. Satisfactory estimates presented to the General Assembly indicate that an expenditure of one hundred twenty thousand dollars is required; and

Whereas, the General Assembly has determined that the moneys so required should be raised through the issuance and sale of the bonds authorized by this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. St Andrews Public Service Commission may issue bonds.**—For the purpose of providing funds for fire protection and garbage disposal facilities, including the acquisition of land, and the constructing and equipping of buildings thereon, the acquisition of equipment and other facilities therefor, St. Andrews Public Service Commission, as constituted by Section 3 of Act No. 443 of 1949, as amended by Act No. 502 of 1961, is hereby authorized to issue and sell not exceeding one hundred twenty thousand dollars of general obligation bonds of the district.

**SECTION 2. Issues.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 3. Denominations—maturity.**—The bonds shall be in such denominations and shall mature in such annual series or installments as the commission shall provide for, except that the last maturing bonds shall mature not later than fifteen years from the date as of which the bonds shall be issued.

**SECTION 4. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the commission may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the commission shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the commission.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the commission shall by resolution provide.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of St. Andrews Public Service District in Charleston County, South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County, and shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) The premium, if any, shall be applied to the payment of the first instalment of principal of such bonds; and

(c) The balance remaining shall be expended, on the warrant of the commission, for the following purposes:

(1) All costs and expenses incurred in connection with the issuance and sale of the bonds; and

(2) To meet costs incurred in providing additional fire protection facilities and garbage disposal facilities. The extent to

which funds shall be applied for either or both of such purposes shall be within the discretion of the commission.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R159, S188)

**No. 467**

**An Act To Authorize The County Council Of Charleston County To Issue And Sell Not Exceeding Three Hundred Eighty-Five Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Purposes For Which The Bonds Shall Be Issued; To Make Provision For The Payment Of The Bonds; And To Repeal Act No. 1056 Of 1962 Relating To The Issuance Of Two Hundred Seventy Five Thousand Dollars Of General Obligation Bonds Of Charleston County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 841 of the acts of the General Assembly for the year 1962, now in the process of amendment by legislation enacted in *pari materia*, there has been created and is in existence the Area Commission for the Charleston Technical Education Center (the Area Commission). The Area Commission has been created in order that the counties of Berkeley, Charleston and Dorchester may cooperate with the program instituted by Article 7, Chapter 15, Title 21, Code of Laws of South Carolina for the year 1962.

The General Assembly further finds that there is an immediate need that such program be instituted promptly for the area affected. Under the provisions of the State program it is required that cooperating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain them. Surveys conducted indicate that a suitable building, or buildings, with appropriate facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in Berkeley, Charleston and Dorchester Counties. The General Assembly has, therefore, determined to empower the County Council of Charleston County, as the governing agency of Charleston County, to issue gen-

eral obligation bonds of Charleston County, to the extent herein provided, in order to provide Charleston County's share of the funds required for the construction and equipping of suitable facilities. In so determining, the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is, therefore, one which counties are authorized to undertake pursuant to Section 6 of Article X of the Constitution of South Carolina.

**SECTION 2. Charleston County may issue bonds for Area Commission.**—In order to provide funds to be expended by the Area Commission for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Council of Charleston County (the County Council) is hereby authorized and empowered to issue and sell general obligation bonds of Charleston County in an aggregate principal amount not exceeding three hundred eighty five thousand dollars.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the County Council shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by County Council, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Charleston County, upon such conditions as the County Council may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the County Council shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the County Council.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Council shall by resolution prescribe.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Charleston County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Charleston County, and collected by the Treasurer of Charleston County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Charleston County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522, Code of Laws of South Carolina, 1962.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Charleston County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Area Commission, to defray the cost of issuing the bonds au-

thorized hereby, and to pay the costs incurred in the acquisition, construction and equipping of facilities of the sort described in Section 1.

(d) If any balance remain, it shall be held by the Treasurer of Charleston County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 14. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Council shall be in addition to all other powers and authorizations previously vested therein and may be exercised either independently of or concurrently with comparable action authorized for the governing agencies of Berkeley and Dorchester Counties, who by legislation enacted in *pari materia* have been authorized to issue bonds to provide the respective shares of those counties of the cost of the program contemplated by this act.

**SECTION 15. Act 1056 of 1962 repealed.**—Act No. 1056 of the Acts of the General Assembly for the year 1962 is hereby repealed.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

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(R188, H1394)

**No. 468**

**An Act To Amend The Charter Of The German Evangelical Lutheran Church Of Charleston, South Carolina, By Increasing The Amount Of Property Authorized To Be Held By It From Five Hundred Thousand Dollars To Two Million Dollars.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Charter of German Evangelical Lutheran Church of Charleston amended.**—The Charter of The German Evangelical Lutheran Church of Charleston, South Carolina, granted in 1841, and renewed by an act of the General Assembly ratified December 19, 1855, and amended by acts of the General Assembly approved March 9, 1871 and February 8, 1929, is further amended by increasing the amount of property, real and personal, authorized to be owned and held under the provisions of the Charter from five hundred thousand dollars to two million dollars.

**SECTION 2. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R237, H1496)

**No. 469**

**An Act To Amend Section 5 Of Act No. 1054 Of The 1962 Acts Relating To The Borrowing Of Certain Money By School Districts In Charleston County, So As To Provide For The Repayment Of Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 5 of Act 1054 of 1962 amended—payment.**—Section 5 of Act No. 1054 of the 1962 Acts is amended by adding at the end thereof the following :

“For the payment of such note, or notes, the Auditor of Charleston County shall levy, and the treasurer shall collect, an annual tax on all taxable property in the school district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, or notes, inclusive of interest, in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the school district are irrevocably pledged to the indebtedness provided for in this act as amended.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R238, H1497)

**No. 470**

**An Act To Validate A Certain Borrowing By School District No. 20 Of Charleston County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Loan by Charleston County School District 20 validated.**—The General Assembly finds that School District No. 20

of Charleston County, the State of South Carolina, did heretofore avail itself of the authorizations contained in Act No. 1054 of the 1962 Acts and did borrow from the County Council of Charleston County, South Carolina, the sum of two hundred fifty thousand dollars, which loan is evidenced by the note of School District No. 20 of Charleston County, the State of South Carolina to the County Council of Charleston County, South Carolina, dated the 15th day of August, 1962. This note is hereby declared a valid and binding obligation of School District No. 20 of Charleston County, the State of South Carolina.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R307, S327)

**No. 471**

**An Act To Amend An Act Entitled "An Act To Authorize The County Council Of Charleston County To Issue And Sell Not Exceeding Three Hundred Eighty-five Thousand Dollars Of General Obligation Bonds Of Charleston County; To Prescribe The Purposes For Which The Bonds Shall Be Issued; To Make Provision For The Payment Of The Bonds; And To Repeal Act No. 1056 Of 1962 Relating To The Issuance Of Two Hundred Seventy-five Thousand Dollars Of General Obligation Bonds Of Charleston County," Approved March 27, 1963, By Further Defining The Nature Of The Action To Be Taken By County Council In Effecting The Issuance Of The Bonds Authorized Thereby.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it is desirable that the bonds the issuance of which is authorized by an Act of the General Assembly of the State of South Carolina, entitled "AN ACT TO AUTHORIZE THE COUNTY COUNCIL OF CHARLESTON COUNTY TO ISSUE AND SELL NOT EXCEEDING THREE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS OF GENERAL OBLIGATION BONDS OF CHARLESTON COUNTY; TO PRESCRIBE THE PURPOSES FOR WHICH THE BONDS SHALL BE

ISSUED; TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS; AND TO REPEAL ACT NO. 1056 OF 1962 RELATING TO THE ISSUANCE OF TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS OF GENERAL OBLIGATION BONDS OF CHARLESTON COUNTY," approved March 27, 1963, (the Enabling Act), be forthwith authorized by County Council of Charleston County (County Council), and that the procedure required of County Council by Sections 14-1167 and 14-1168, Code of Laws of South Carolina, 1962, be dispensed with.

**SECTION 2. Section 2 of Act 467 of 1963 amended—Charleston County may issue bonds.**—Section 2 of the Enabling Act is hereby amended to read as follows:

"Section 2. In order to provide funds to be expended by the Area Commission for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Council of Charleston County (the County Council) is hereby authorized and empowered to issue and sell general obligation bonds of Charleston County in an aggregate principal amount not exceeding three hundred eighty-five thousand dollars. The action to be taken by the County Council in effecting the issuance of the bonds authorized by this act may be taken at any special or any regular meeting of County Council and may be in the form of a resolution to take effect immediately upon its adoption at the meeting at which it is presented, notwithstanding that the procedure herein authorized differs from that prescribed by Sections 14-1167 and 14-1168, Code of Laws of South Carolina, 1962, which relate to the manner of issuing bonds by County Council on behalf of Charleston County."

**SECTION 3. Repeal.**—All acts or parts of acts inconsistent herewith are hereby repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

**For Use In The Construction And Equipping Of A New Headquarters For The County Department Of Public Works And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Charleston County may borrow money.**—In order to finance the construction and equipping of a new department of public works building for the Department of Public Works of Charleston County, the Treasurer of Charleston County is hereby authorized to negotiate the issuance and sale of not exceeding one hundred fifty thousand dollars of general obligation notes of Charleston County.

**SECTION 2. Notes — date — interest — maturity.**—The notes shall bear the date fixed by the county treasurer and shall bear interest at a rate or rates not exceeding three per cent per annum, payable on June first and December first of each year, commencing December 1, 1963. The principal shall mature in three equal annual installments, with the initial installment maturing June 1, 1964. Both principal and interest shall be payable in legal tender at the office of the Treasurer of Charleston County with the privilege by the county of prepaying the whole of the principal or any part thereof and the accrued interest thereon at any date fixed for the payment of an installment of interest on the notes.

**SECTION 3. Execution.**—The notes, in such denominations as shall be determined by the county treasurer, shall be executed in the name of Charleston County by the treasurer, attested by the chairman of the county council and sealed with the county's seal. The notes shall be designated as "Charleston County Public Works Department Building Notes".

**SECTION 4. Payment.**—For the payment of the notes, both principal and interest, as they respectively mature, there shall be pledged the full faith, credit and taxing power of Charleston County, and there shall be levied annually upon all taxable property in the county by the county auditor, and collected by the county treasurer, a sum sufficient to pay the principal of and interest on the notes as they respectively mature.

**SECTION 5. Sale.**—The notes shall be sold by the county treasurer at not less than par and accrued interest upon sealed proposals after publication of the notice of sale one or more times in a daily newspaper published in Charleston County. The right to reject any or all bids shall be reserved in the notice.

**SECTION 6. Proceeds.**—The proceeds derived from the sale of the notes shall be kept by the county treasurer in a special fund to be known as "Charleston County Public Works Department Building Fund" and shall be paid out solely for the purposes for which issued upon warrants of the county council.

**SECTION 7. Liability of purchasers.**—The purchasers of the notes shall be in no way liable for the application of the proceeds of the notes to the purposes for which issued.

**SECTION 8. Exempt from taxes.**—The notes and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 9. Notes to be additional.**—The notes are in addition to all other bonds or notes previously authorized to be issued by Charleston County for any purposes whatsoever.

**SECTION 10. Powers to be additional.**—The authority herein conferred upon the county treasurer and upon the county council shall not be construed to abridge or abrogate, but shall be in addition to other powers and authority given them by law.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

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(R347, H1568)

**No. 473**

**An Act To Authorize And Empower The City Council Of Charleston And The County Council Of Charleston To Convey, And The Citadel, The Military College Of South Carolina, To Acquire, The Johnson Hagood Stadium In The City Of Charleston.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the Johnson Hagood Stadium in the City of Charleston was constructed on lands of the City Council of Charleston, through the joint efforts of the City of Charleston, the County of Charleston, and the State of South Carolina, the latter contributing in order to permit the use of the Stadium by The Citadel, the Mil-

itary College of South Carolina. The contributions on behalf of Charleston County were made in order that the Stadium might be utilized by any of the public schools in Charleston County.

Included in the moneys used for the construction of the Stadium were the proceeds of an issue of one hundred fifty thousand dollars City of Charleston Municipal Stadium Revenue Bonds, dated January 1, 1949, of which forty thousand dollars bearing interest at three and one-half per cent, maturing ten thousand dollars on January first in the years 1964 to 1967, inclusive, are now outstanding. For several years the debt service requirements of these bonds have been paid through State appropriations made on behalf of The Citadel. It now develops that the facilities of the Stadium are insufficient to meet the requirements of The Citadel and the several public schools of Charleston desiring their use, and that further facilities are required. In order to accomplish this purpose it has been agreed, subject to approval by the General Assembly and the respective governing agencies of the political entities and State institution involved, that City Council and County Council should convey to The Citadel, and The Citadel should acquire, the Stadium for a consideration of two hundred forty thousand dollars to be paid to City Council from funds derived from issuance of Institutional Bonds, and the assumption by The Citadel of the payment of the remaining Stadium Revenue Bonds and that with the proceeds made available City Council will construct additional stadium facilities available for athletic activities of public schools in the City and County of Charleston, under conditions similar to which the Stadium is now made available. County Council has determined that existing facilities elsewhere in the county are generally sufficient to serve the needs of other public schools and has agreed to the foregoing upon assurances that the new City Stadium will be made available, upon the terms and conditions that the Stadium is now available, and further assurances on the part of The Citadel that the facilities of the Stadium will be made available to public schools of the City and County under such regulations as The Citadel shall impose, and under the conditions that any proposed use thereof does not conflict with any use of the Stadium made by The Citadel.

The General Assembly has reviewed the proposals thus made and wishes to authorize the City Council and County Council to convey their interests in the Stadium to The Citadel, and The Citadel to acquire such interests upon these conditions.

**SECTION 2. City and County of Charleston may convey Johnson Hagood Stadium to The Citadel.**—The City Council is hereby authorized and empowered to convey to The Citadel the Johnson Hagood Stadium in the City of Charleston, upon the condition that The Citadel shall pay or cause to be paid to the City Council the sum of two hundred forty thousand dollars and shall assume the payment of the principal and interest on the Stadium Revenue Bonds described in Section 1 of this act.

County Council is authorized and empowered to quitclaim any interest it may have or claim in the Stadium to The Citadel upon assurances by City Council that it will utilize the cash payment made to it by The Citadel for the construction of a new City stadium which shall be available for use by the public schools of Charleston County under the same terms and conditions as now exist with respect to the use by such schools of the present Stadium, and upon further assurance on the part of The Citadel that the Stadium will be available for use by the public schools of Charleston County under such regulations as The Citadel may impose whenever any proposed use of the Stadium will not conflict with any use of the Stadium to be made by The Citadel.

The Board of Trustees of The Citadel are authorized to acquire the Johnson Hagood Stadium in the City of Charleston upon the terms and conditions set forth herein, and to pay the considerations herein expressed and to make the assurances set forth above.

Upon the conveyances herein authorized, the operation, management and maintenance of the Johnson Hagood Stadium shall devolve upon The Citadel and the Municipal Stadium Commission of the City of Charleston, created by Chapter 8, Title 5, Code of Laws of South Carolina, 1962, shall cease to function for so long a time as The Citadel shall discharge the existing obligations to the holders of the outstanding Stadium Revenue Bonds, meet the payments of principal and interest as required thereon, and provide adequate maintenance of the Stadium. Upon the payment of all outstanding Stadium Revenue Bonds all duties and functions devolved upon the Municipal Stadium Commission of the City of Charleston shall terminate.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

(R543, S445)

**No. 474****An Act To Validate And Confirm The Action Of The Board Of Township Commissioners Of Folly Beach In Charleston County In Closing And Conveying Certain Street Areas To Folly Beach Ocean Plaza, Inc.**

Whereas, prior to June 14, 1960, because of substantial and continuous erosion resulting from recurrent flooding by tides on Folly Island in Charleston County, a portion of Atlantic Avenue in the vicinity of Center Street, certain portions of Center Street and West Second Street, and a portion of a ten foot lane lying between the southern extension of Arctic Avenue and Atlantic Avenue in such area on the island, became unusable and dangerous to the public; and

Whereas, because of such conditions such areas of the streets had in fact been closed to public use for some time prior to June 14, 1960; and

Whereas, prior to such date the Board of Township Commissioners of Folly Beach entered into an agreement with Folly Beach Ocean Plaza, Inc., whereby in consideration of the latter's undertaking to erect a large and substantial breakwater and retaining wall along the right-of-way of Atlantic Avenue in the area, and to erect other improvements upon the streets and portions of streets in the area, and to subject certain portions of its property, to wit a twenty foot walkway and a ten foot lane (referred to in the deed herein-after-mentioned) to an easement for use as a walkway by the public, the Board of Township Commissioners agreed that upon completion of the improvements to its satisfaction it would convey to the Folly Beach Ocean Plaza, Inc., a corporation, the street areas that had been closed to the public as aforesaid; and

Whereas, on June 14, 1960, the improvements so agreed to be made by Folly Beach Ocean Plaza, Inc., having been completed to the satisfaction of the Board of Township Commissioners, the board adopted a resolution officially closing the street areas, and on the same day executed and delivered to Folly Beach Ocean Plaza, Inc., a deed, now of record in the R.M.C. Office for Charleston County in Book S-70, at page 546, conveying to the Folly Beach Ocean Plaza, Inc., the street areas before-mentioned, being described in the deed as follows:

All of those streets and portions of streets and lanes of the Township Commission, situate, lying and being within the lines,

A-B, B-F, F-C, C-D, D-E, E-A, on a plat of said area entitled Project No. 597, Folly Beach Ocean Plaza, Folly Beach, South Carolina, made by R.B. Russell, Registered Professional Engineer, dated March 20, 1960, hereto attached and made a part and parcel of this conveyance.

The streets and portions of streets herein described and conveyed consist of that section of Atlantic Avenue between the lines A-B and C-D shown on said plat as well as portions of Center Street, West 2nd Street and a ten (10) foot lane shown on said plat, lying between Atlantic Avenue and the southern edge of Arctic Avenue.

and;

Whereas, it is doubtful that the board of commissioners had power, without the sanction of an act of the General Assembly, to close and convey the areas as aforesaid, and it is desirable that such action by the board be now validated and confirmed. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Closing and conveying streets—validated.**—The action of the Board of Township Commissioners of Folly Beach in closing the street areas hereinafter described, and in conveying such areas to Folly Beach Ocean Plaza, Inc. is hereby validated and confirmed, the areas being: All of those streets and portions of streets and lanes on Folly Island, in Charleston County, situate, lying and being within the lines A-B, B-F, F-C, C-D, D-E, E-A, on a plat entitled project No. 597, Folly Beach Ocean Plaza, Folly Beach, South Carolina, made by R.B. Russell, Registered Professional Engineer, dated March 20, 1960, referred to in the deed of conveyance by the Board of Township Commissioners of Folly Beach to Folly Beach Ocean Plaza, Inc., dated June 14, 1960, and of record in the R.M.C. Office for Charleston County in Book S-70, at page 546, the plat being of record in the R.M.C. Office aforesaid in Plat Book M, at page 138, the streets and portions of streets referred to consisting of that section of Atlantic Avenue between the lines A-B and C-D shown on the plat, as well as portions of Center Street and West Second Street, and a ten foot lane shown on the plat lying between Atlantic Avenue and the southern edge of Arctic Avenue.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R385, S366)

**No. 475**

**An Act To Provide For The Construction Of A Road In Cherokee County For A Point On The Frontage Road Of Route I-85 West Of Route 5 Interchange, Including A Bridge, And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department may construct road in Cherokee County.**—The South Carolina State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Cherokee County as follows:

Section of road from a point on Route I-85 frontage road approximately 2000' west of Route 5 interchange southerly for approximately 0.3 miles, including a bridge over Buffalo Creek.

**SECTION 2. Payment.**—The cost of constructing the road provided for by this act shall be charged to the Secondary Highway Funds accruing to Cherokee County as follows:

|                      |              |
|----------------------|--------------|
| Cost of Bridge ..... | \$ 60,000.00 |
| Cost of road .....   | 25,000.00    |

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R75, H1219)

**No. 476**

**An Act Extending The Open Season For The Hunting Of Quail And Rabbits In Chester County And Extending The Open Season For The Hunting Of Rabbits In Marlboro County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Quail and rabbit season for Chester County—rabbit season for Marlboro County.**—The open season for the hunting of quail and rabbits in Chester County is extended to March 1, 1963 and the open season for the hunting of rabbits in Marlboro County is extended to March 1, 1963.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R276, H1559)

**No. 477**

**An Act To Authorize The County Board Of Directors Of Chester County To Issue Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Chester County; To Provide Funds For Additional Hospital Facilities For The Chester County Hospital And To Retire A Temporary Loan Made To Chester County For Hospital Facilities And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that Chester County maintains public hospital facilities operated by the Chester County Hospital Board of Chester County created by Act No. 365 of 1947, as amended, and that increased public use requires their expansion. Certain moneys for that purpose were temporarily obtained through a loan made to Chester County by the State Sinking Fund Commission pursuant to Act No. 508 of 1961. It is desirable that such loan be retired and the debt now evidenced thereby be repaid over a period of time. To that end the General Assembly has decided to empower the County Board of Directors of Chester County (hereinafter called the County Board) to issue two hundred fifty thousand dollars of general obligation bonds of Chester County.

**SECTION 2. Chester County may issue bonds for hospital facilities.**—In order to provide funds therefor, the County Board is hereby authorized to issue general obligation bonds of Chester County in an amount not exceeding two hundred fifty thousand dollars whose proceeds shall be used to first pay and retire the principal and interest of any temporary debt of Chester County incurred for hospital facilities and to provide funds for additional hospital facilities for Chester County.

**SECTION 3. Denominations and maturity.**—All bonds issued pursuant to this act shall be in such denominations and shall mature in such annual series or installments as the County Board shall provide for, except that the first maturing bonds shall mature not later than five years from the date as of which they shall be issued, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated

maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the County Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Chester County, upon such conditions as the County Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the County Board shall prescribe.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the County Board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Board shall, by resolution provide.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina, which published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of the bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Chester County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Chester County, and collected by the Treasurer of Chester County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the county, sufficient to pay the principal of and interest on the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Chester County, to be deposited in a bond account fund for the County Board, and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used, upon the warrant or order of the County Board to defray the costs of issuing the bonds authorized hereby, to pay and retire the principal and interest of borrowings made for hospital facilities, pursuant to Act 508 of 1961.

(d) Any balance that remains shall be used, upon the warrant or order of the County Board, for additional public hospital facilities in Chester County.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Board shall be in addition to all other powers and authorizations previously vested in them, and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963

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(R338, S328)

**No. 478**

**An Act To Amend Act 379 Of 1959, Relating To The Chester Metropolitan District, So As To Redefine Its Boundaries; To Redefine The Powers And Duties Of Its Commission; To Provide For Successors To Members Of The Commission; And To Provide For The Filling Of Vacancies.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Preamble of Act 379 of 1959 amended—inadequate water supply for Chester Metropolitan District.**—Amend the preamble of Act 379 of 1959 by striking it out and inserting in lieu thereof the following:

“Whereas, there are not adequate systems or facilities within the area of Chester County, hereinafter described and defined as the Chester Metropolitan District, to provide an adequate supply of pure and filtered water therein; and

Whereas, the public health, welfare, growth, living conditions, economic development and potential each make it necessary that an adequate and ample public supply of pure and filtered water be available to the inhabitants and growing population thereof; and

Whereas, it has been determined after study and survey that it is practical and feasible to establish and install a system and facilities for furnishing, filtering and distributing pure and filtered water in adequate and ample quantities in and throughout the area of Chester County hereinafter described and defined as the Chester Metropolitan District. Now, therefore,”

**SECTION 2. Section 1 of Act 379 of 1959 amended—Chester Metropolitan District created—area.**—Section 1 of Act 379 of 1959 is amended by striking it out and inserting in lieu thereof the following:

“Section 1. There is hereby created and established in Chester County a district to be known as the Chester Metropolitan District, with such duties, powers and authority as herein provided, which shall be a body politic and corporate, and be subject to the rules, regulations and provisions of this act. The district shall be comprised of the territory embraced within the following descriptions:

The district boundary begins at the Catawba River one mile north of S. C. Highway 9; then runs one mile from and parallel to S. C. Highway 9 to a point 1,000 feet northeast of S. C. Road 12-136; then runs 1,000 feet northeast and parallel to S. C. Road 12-136 to a point 1,000 feet northwest of the Seaboard Air Line Railroad; then runs 1,000 feet northwest and parallel to the Seaboard Air Line Railroad to a point one mile northwest of S. C. Highway 9; then runs one mile northwest and parallel to S. C. Highway 9 to a point 1,000 feet east of S. C. Road 12-329; then runs 1,000 feet east and parallel to S. C. Road 12-329 to the center line of S. C. Highway 72; then runs in a direct line to the intersection of S. C. Road 12-1

and S. C. Road 12-152; then runs along S. C. Road 12-152 and to a point 1,000 feet northwest of S. C. Road 152; then runs 1,000 feet northwest and parallel to S. C. Road 152 to a point 1,000 feet northwest of S. C. Road 12-304; then runs 1,000 feet west and parallel to S. C. Road 12-304 to the center line of S. C. Highway 72; then runs along the center line of S. C. Highway 72 to the northern boundary of Chester State Park; then runs in a southeasterly direction along the boundary of Chester State Park to the center line of S. C. Road 12-16; then runs along the center line of S. C. Road 12-16 to a point 1,000 feet southwest of S. C. Road 12-350; then runs 1,000 feet south and parallel to S. C. Road 12-350 to the center line of U. S. Highway 321; then runs in a direct line to the intersection of S. C. Highway 97 and Bull Run Creek; then runs in a direct line to a point in the center line of S. C. Road 12-44 and 1,000 feet east of the Williamsville Church Road; then runs east of and parallel to the Williamsville Church Road to a point 1,000 feet south of the Lancaster and Chester Railway Line; then runs 1,000 feet south of and parallel to the Lancaster and Chester Railway line to a point one mile southwest of S. C. Highway 9; then runs one mile southwest of and parallel to S. C. Highway 9 to a point 1,000 feet southwest of S. C. Highway 99; then runs 1,000 feet southwest of and parallel to S. C. Highway 99 to a point 1,000 feet north of S. C. Highway 97; then runs 1,000 feet north of and parallel to S. C. Highway 97 to the center line of Rocky Creek; then runs along the center line of Rocky Creek to the center line of the Catawba River; and then runs along the center line of the Catawba River to the beginning point."

**SECTION 3. Section 2 of Act 379 of 1959 amended—governed by a commission.**—Section 2 of Act 379 of 1959 is amended by striking it out and inserting in lieu thereof the following:

"Section 2. The district shall be governed by a commission composed of three members who shall be residents of the district and shall be appointed by the Governor upon the recommendation of the Senator and one-half of the Chester County Legislative Delegation. The terms of office of the members of the commission shall be four years or until their successors are appointed and qualified. The commission shall be known as the Chester Metropolitan Com-

mission and shall hereinafter be referred to as the commission. All commissioners shall serve without compensation. Upon their appointment, they shall organize and from among themselves elect a chairman and a secretary and adopt an official seal. Any vacancy on the commission by death, resignation or otherwise shall be filled by appointment in the manner of the original appointment for the unexpired portion of the term."

**SECTION 4. Section 3 of Act 379 of 1959 amended—powers and duties.**—Section 3 of Act 379 of 1959 is amended by striking it out and inserting in lieu thereof the following:

"Section 3. The commission shall have the power to:

(a) Buy, accept as gifts, construct, establish, enlarge, maintain, conduct and operate a water system or plant, to provide and furnish an adequate supply of water for all purposes for the district and residents thereof, it being entirely within the discretion of the commission to determine the manner in which it shall furnish and provide the water, whether by establishing and equipping a water system within the district, or to do so in conjunction with any other private or public agency empowered to act, or to enter into a contract for such purpose by having water, or facilities for providing water, furnished it from any other source, and paying therefor in accordance with the terms of such contract, or by any other means advisable to the commissioners.

(b) To acquire, purchase, lease and sell such real estate, easements, rights of way, and personal or mixed property as may be deemed necessary to enable the district to carry out and perform the duty of providing an adequate water supply for the district and its residents.

(c) To make any and all contracts, to employ such engineers, office and other help as may be deemed necessary, to fix the compensation of such employees, to acquire all necessary equipment and facilities and do all such other things that it may deem necessary to provide and furnish an ample supply of water for the district and its residents.

(d) To sell water from its plant or system for industrial or domestic use, and it shall be its duty where feasible and practical to do so, to the residents of the district or to those not residents thereof if there remains a surplus after having provided the requirements of those who are residents of the district, in conformity with a rate schedule to be prescribed by it and to make and en-

force such reasonable rules and regulations as it may deem proper to secure itself against nonpayment of its charges therefor.

(e) To purchase or contract for the use of any water system or plant, or any part thereof, already existing, or being operated within the district, on such terms and at such price as the commission may deem proper, bearing in mind at all times the value thereof to the district's system or plant as a whole.

(f) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this item.

(g) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system or plant. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system or plant, and any extension, addition, and improvement thereto, including engineering costs, construction costs, the sum needed to pay interest during the period prior to which the system or plant, or any extension, addition or improvement thereof, shall be fully in operation, such sum as is needed to supply working capital to place the system or plant in operation, and all other expenses of any sort that the district may incur in establishing, extending and enlarging the system or plant. Neither the faith and credit of the State of South Carolina, nor of Chester County nor the Chester Metropolitan District shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded to that effect. Neither the members of the commission, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and 59-651 through 59-682 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In

exercising the powers conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by either such statute. Specifically, and notwithstanding contrary provisions in any of such code provisions, if contrary provisions there be, the district may:

(1) Disregard any provision requiring that bonds have serial maturities, and issue bonds with such maturities as the district shall determine.

(2) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system or plant, as such net revenues may be defined by the commission.

(3) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(4) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system or plant, in accordance with the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other types of securities.

(5) Dispose of all obligations at public or private sale, and upon such terms and conditions as it shall approve.

(6) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(7) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(8) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(9) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(10) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived."

**SECTION 5. Section 4 of Act 379 of 1959 amended—use of funds.**—Section 4 of Act 379 of 1959 is amended by striking it out and inserting in lieu thereof the following:

"Section 4. In exercising the powers conferred by this act, the commission may use funds made available under this act, or provided by appropriations, and also funds made available by grant or gift, which may be accepted and used under such terms and conditions as the commission may in its sole judgment covenant, contract or agree."

**SECTION 6. Section 5 of Act 379 of 1959 amended—rates not subject to State regulation.**—Section 5 of Act 379 of 1959 is amended by striking it out and inserting in lieu thereof the following: "Section 5. The rates charged for services furnished by the system as constructed, improved, enlarged and extended shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof."

**SECTION 7. Sections 6 through 21 of Act 379 of 1959 repealed.**—Sections 6 through 21 of Act 379 of 1959 are repealed.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of May, 1963.

**An Act To Authorize The Great Falls Public Service Commission To Sell And Convey Its Water System To The Chester Metropolitan District And To Amend Act 952 Of The Acts Of 1952, Relating To The Great Falls Public Service Commission, So As To Increase The Amount Of Money The Commission May Borrow.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Great Falls Public Service Commission may sell its system.**—The Great Falls Public Service Commission is hereby given authority to sell and convey its entire water system to the Ches-

ter Metropolitan District under such terms and conditions as may be agreed upon by the governing body of the commission.

**SECTION 2 Section 1 of Act 952 of 1952 amended—Great Falls Public Service Commission may borrow money.**—Section 1 of Act 952 of the Acts of 1952 is amended on line 10 by striking the word “fifty” and inserting “eighty-five.” The section when amended shall read as follows:

“Section 1. The Great Falls Public Service Commission is hereby authorized, from time to time to borrow such funds as are necessary for the carrying out of the functions imposed upon it by the Act of the Legislature approved the eighteenth day of June 1949, entitled “An Act To Create The Great Falls Public Service District” and any and all acts amendatory thereof, and as security for any loan made under authority hereof may pledge the anticipated tax collections for the then current year, *provided*, the sum total of any sums so borrowed in any year shall not exceed eighty-five per cent of the anticipated tax revenues.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R521, S439)

**No. 480**

**An Act To Create The Chester Water And Sewer District And To Define Its Boundaries; To Provide For The Chester Water And Sewer District Commission And To Define Its Powers With Respect To Providing Water And Sewerage Facilities Within The District; To Confer Certain Powers And Duties With Respect To Providing Water And Sewerage Facilities Upon The City Of Chester; And To Provide For The Issuance Of Bonds Of The District For The Purpose Of Carrying Out The Provisions Of This Act.**

Whereas, areas contiguous to, but not embraced within the corporate limits of the City of Chester, have been steadily and progressively becoming built up and congested with residences, industries and business establishments, and such progress, development and congestion of such areas is continuing, developing and expanding and will continue so to do; and

Whereas, the public health, convenience, safety and protection require that such areas be furnished with and have the advantage of adequate water and sewerage facilities, and such utilities are not now provided, either at all or in sufficient and proper quantity and quality, for some or all of such congested sections, and the number and extent of such congested sections will continue to develop and expand and provision should be made to furnish such necessary utilities as rapidly and in as adequate degree as possible; and

Whereas, the City of Chester has production facilities for furnishing such services to the outlying areas herein referred to, if distribution systems are provided; and

Whereas, the areas outside the corporate limits of the City of Chester should be created into a body politic and corporate, to be known as the Chester Water and Sewer District, embracing the territory hereinafter defined, and such body politic and corporate, and the area embraced therein, hereinafter being referred to as the District, to the end that such District may be furnished with such services in accordance with the present and future needs of congested sections therein, and that the finances of the operation of the sale and delivery of such utilities within the areas outside the City of Chester should be kept separate and distinct from those accruing within the city limits, to the end that those receiving and paying for such services in the areas within and without the corporate limits of the City of Chester shall respectively pay for and receive the benefits of the expense and the income of such utilities in the two areas, in separate units, and so as not to impose upon the users of such utilities within either of the areas burdens or expense because of utilities in the other area. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Chester Water and Sewer District created.**—There is hereby created and established in Chester County a district to be known as Chester Water and Sewer District, with such duties, powers and authority as herein provided, which shall be a body politic and corporate, and be subject to the rules, regulations and provisions of this act. The District shall be comprised of the territory within the following descriptions:

All that area of land adjoining and outside the corporate limits of the City of Chester, in Chester County, South Carolina, being bounded by a line beginning at a point near Springmaid Golf Course

at the intersection of the line of the Chester City limits with the center line of a proposed road or street being Highway No. 321 Extension and running in a westerly direction with the center line of said Highway No. 321 Extension to the eastern margin of a proposed highway being Highway No. 321 By-Pass, and running thence with the eastern margin of said Highway No. 321 By-Pass to a point where a public road known as S. M. Gibson Road will intersect said Highway No. 321 By-Pass, thence in a western direction along said S. M. Gibson Road to Pine Ridge Road, thence in a southerly direction along said Pine Ridge Road to the northeastern corner of W. M. Bailey lot, thence in a western direction 500 ft. along Bailey line extended, thence in a southerly direction along a line 500 ft. west of and parallel to said Pine Ridge Road to State Highway No. 9, thence along State Highway No. 9 in an easterly direction to Secondary Highway No. 304, thence along Secondary Highway No. 304 to intersection with a public road known as Roland Ferrell Road, thence along said Roland Ferrell Road and a line extending in the same direction to S. A. L. Railway, thence in a straight line to a point on State Highway No. 72, 500 ft. southwest of City limits, thence along State Highway No. 72 to City Limits, thence along City limits in a northerly direction in an arc to the right to the point of beginning.

Also all that area of land adjoining and outside the corporate limits of the City of Chester, in Chester County, South Carolina, being bounded by a line beginning at a point on Chester City limits 500 ft. southwest of intersection of said City limits with Highway No. 321, known as Columbia Street, and running thence in a southeasterly direction along a line 500 ft. southwest of and parallel to Highway No. 321 to a point opposite intersection of Highway No. 321 and Highway No. 97, thence along a line 500 ft. southwest of and parallel with Highway No. 97 to a point opposite Old Purity Church and graveyard, thence across Highway No. 97, between the Church and graveyard to rear, southeastern corner of property of Chester County Hospital, thence in northwesterly direction along real line of Chester County Hospital property to northeast corner thereof, thence in a straight line to a point on eastern margin of Southern Railway right-of-way 200 ft. northwest of intersection of said railway right-of-way margin and State Highway No. 97, thence along said Southern Railway right-of-way to point 500 ft. southeast of No. 72 By-Pass, thence in a line 500 ft. southeast of and parallel with said No. 72 By-Pass to point opposite Wilson Street, thence to and along Wilson Street

to L. & C. Railway, thence in a northeasterly direction along said L. & C. Railway to a point 200 ft. east of No. 72 By-Pass, thence in a line 200 ft. east of and parallel with No. 72 By-Pass to a point 500 ft. from Grassy Run Branch, thence in an easterly direction 500 ft. from and parallel with said Grassy Run Branch to a point 200 ft. below the Springs Mills Eureka Disposal Plant, thence to a point at intersection of eastern line of Robbins Circle Development with S.A.L. Railway right-of-way, thence to a point at intersection of northern line of Red's Place with northwest margin of Highway No. 72, thence along northern boundary of Red's Place and Extension thereof to a point 500 ft. from said northwest margin of Highway No. 72, thence to rear or northern corner of Clayton Wright lot, thence to a point on Southern Railway 200 ft. northeast of Secondary Highway No. 187, thence in a westerly direction 200 ft. from and parallel with said Highway No. 187 to C. & N. W. Railway Right-of-Way, thence in a direction toward rear corner of Fair Grounds to City Limits, thence along City limits in a southerly direction in an arc to the right to the point of beginning.

**SECTION 2. Commission created — members — appointment — terms.**—The District shall be governed by a commission composed of three members, who shall be residents of the District and shall be appointed by the Governor, upon the recommendation of the Senator and at least one-half of the Chester County Legislative Delegation. The terms of office of the members of the commission shall be four years. The commission shall be known as the Chester Water and Sewer District Commission and shall hereinafter be referred to as the commission. All commissioners shall serve without compensation. Upon their appointment, they shall organize and from among themselves elect a chairman and a secretary and adopt an official seal.

**SECTION 3. Powers of commission.**—The commission shall have power:

(a) to establish, extend, enlarge, maintain and operate a water system and a system of sewer, sewer lines and sewer mains, and such water lines as may be necessary for the proper operation of the sewer system or systems;

(b) to construct, operate and maintain a water plant or plants and a plant or plants proper and adequate to treat and dispose of sewerage in the district;

(c) to purchase, lease and hold real estate, easements, water rights and property rights reasonably necessary in their judgment for carrying out the purposes of this act;

(d) to purchase or lease existing water and sewer lines, mains or systems and sewerage disposal plants and to make contracts whereby they may be connected to the lines or systems which the commission may establish;

(e) to make all lawful contracts reasonably necessary for achieving the principal purposes of this act so that ultimately the district may be adequately served by a coordinated and unified system of water lines and sewers and sewerage disposal efficiently and economically operated;

(f) to employ such engineering, clerical and other help as they deem necessary, and fix the salaries and compensation of such employees;

(g) to make any and all regulations which they consider necessary to the construction, establishment, maintenance and proper operation in the District of water systems and sewer systems, sewer mains, sewer trunklines and sewerage treatment or disposal plants;

(h) to generally do all things proper and necessary to establish and maintain an adequate water system or systems and an adequate system or systems of sewer and sewerage disposal in the District for the protection of health and the establishment and maintenance of proper sanitary conditions therein;

(i) to condemn, for the purposes of this act, lands, easements, water rights, property rights, water systems, lines and mains, sewer systems, lines and mains, and the right to connect with or through existing systems, in all cases where any of these things are reasonably required for carrying out this act, and cannot be obtained by contract from the owner or owners, which the commission is willing to make, the right of condemnation to be exercised in the same manner as prescribed for the condemnation of rights-of-ways by counties; and

(j) to install fire hydrants at such intervals as to provide adequate fire protection in all sections where water lines are constructed, expanded or extended within the District and are adequate for such purpose.

**SECTION 4. Powers further.**—In exercising the powers conferred by Section 3 of this act the commission may use funds made available under this act or provided by appropriations and shall cooperate with the City of Chester, hereinafter referred to as the City, but all final

determinations with respect to the exercise of such powers are to be made by the commission if there be dispute or disagreement with respect thereto.

**SECTION 5. City may construct facilities in district.**—If the city has funds available with which to construct or acquire facilities in any section of the District and determines by appropriate legal action to do so, it shall apply to the commission for the right to construct or acquire facilities to serve such area and to define the type, nature and extent of the facilities to be constructed or acquired and if the commission, upon investigation and survey determines that the city could best serve the area with such facilities, it shall by resolution allow the city to proceed with the construction or acquisition of such designated facilities within such area of the District.

**SECTION 6. Powers further.**—In any section of the District already provided by the City of Chester with some extent or form of facilities, but such facilities are, and they are determined by the commission to be, inadequate or insufficient, such facilities may be enlarged, extended, added to or replaced in the same manner and under the same conditions provided for herein for original construction; *provided*, that where necessary to adjust construction or replacement costs as between the city and the commission, equitable determination of facts for such purposes shall be made and declared.

**SECTION 7. City shall service all facilities.**—All facilities now or hereafter constructed within the District, whether at the expense of the commission or the city, shall be connected with and served by the present or future sources of water supply or sewer facilities, trunk or main line, disposal plants and other primary facilities of the city and the city shall furnish all such facilities for all such systems as may now or hereafter be constructed within the area.

**SECTION 8. Construction to be approved by commission.**—Any person desiring to develop or construct subdivisions, industrial villages or other similar populated areas, within the District and to lay water and sewer lines therein at the expense of such person, as a part of such development, shall submit plans showing the proposed utility lines to the commission, and secure its approval thereof, and upon securing such approval from the commission, may proceed to construct such lines upon such conditions and with such requirements as the commission may designate, and the person bear-

ing the expense of such construction shall be entitled to collect tapping or connecting charges to individual outlets until the expense thereof has been repaid; *provided*, that neither the commission nor the city shall be required to permit connection for any such development unless adequate facilities therefor have been provided within a congested area in which such development is located, and that the commission or the city shall have power and authority to regulate the number and size of individual connections or taps that may be made in any such development, having regard for the available facilities therefor; and that the city shall have power and authority to make proper charge for making connections for such development; and *provided*, further, that when the person, making such development has ceased to provide for and make such individual taps or connections, or has otherwise discontinued responsibility for such development or the facilities in connection therewith, that all utility systems so laid in such development shall become a part of the District system of utilities, and thereafter connection shall be made at the same charges and under the same conditions as any other connections or taps within the District; and *provided*, further, that maintenance and service of all such systems and of the individual connections thereon, shall be the responsibility of the city as in the case of all other customers within the area from the time the individual connections or taps are made with similar charges for service.

**SECTION 9. Commission may operate its facilities.**—If the commission at any time shall determine that it will be more advantageous to the District to assume the entire operation of its own facilities, it is hereby vested with the authority to do so. If in accordance with this section the commission assumes the entire operation of the facilities within the District it shall make such annual adjustment or accounting with the city as may be equitable and just.

**SECTION 10. Ownership of facilities.**—It is the intent and purpose of this act that the ownership of the facilities and of the income therefrom within the corporate limits of the city and within the District shall ultimately be entirely separate and distinct, with the ownership thereof vested in the city and the District, within their respective territories. All facilities and systems within the District shall be the sole property of the District, as a body politic and corporate, and shall be governed by the commission with due allowance for the cost of maintenance and service, proportionate expense of plant facilities, maintenance fund and proportion of overhead to the city and all remainder to be paid into the special fund herein provided.

**SECTION 11. Rates.**—The rates to be charged for utilities services within the District shall be fixed by the commission, but with adequate provision for reimbursement to the county or the city for any amounts advanced by them, and for further construction, extension and expansion within the district.

**SECTION 12. May issue bonds.**—The funds for the accomplishment of the purposes of the District, as provided by this act, insofar as the District and Chester County are concerned, may be supplemented as may be by law provided from time to time, and by bond issues in addition to the bond issue provided herein, under such conditions and with such requirements as the General Assembly may provide, subject to any outstanding bonds or obligations.

**SECTION 13. Lien—coverage.**—The obligation and lien of any bonds now outstanding of the city shall not cover, nor be construed to cover, any facilities or systems therefor within the District, which are not already now covered by the obligation and lien of such bonds; *provided*, that any extensions, expansions, constructions or addition of systems within the District, by the city pursuant to the provisions of this act which are properly subject to the obligation and lien of any present bonds, shall continue to be subject thereto, without impairment.

**SECTION 14. Impairment of contract.**—Nothing herein contained is intended or shall be construed to destroy, impair, lessen or otherwise affect the obligation, lien or other right or interest of any present outstanding bond issue, or of the holder of any such bonds.

**SECTION 15. Records to be kept.**—The commission shall keep a permanent record of its proceedings, which shall be at all times accessible to the public, and also of all contracts made by it, and an accurate map and plan of the work done and projected, and shall keep proper books showing in detail all moneys received and disbursed by it. The books shall be audited annually by an independent auditing firm selected by the commission. The commission shall advertise for bids for at least thirty days in one or more newspapers published in the district on contracts for work to be done and materials to be furnished, and shall have the right to reject any and all bids and to enter contracts with the lowest responsible bidders.

**SECTION 16. May issue bonds.**—The commission is hereby authorized and empowered to issue and sell bonds of the district in a sum not exceeding four hundred thousand dollars the proceeds of

which shall be used by the commission for establishing, construction, extending, enlarging, operating and maintaining water and sewer systems and lines and proper treatment of disposal plants in the district and necessary water lines. The bonds shall be of the denomination of one thousand dollars or the multiple thereof, and shall bear interest not to exceed five per cent per annum, payable annually or semiannually as the commission shall determine. They shall mature all at one time, or in series or installments, as the commission shall determine, but all shall mature within forty years from date. They shall be exempt from all State, county and municipal taxes. The bonds shall be signed by the chairman of the commission and attested by its secretary and the official seal of the district shall be affixed to or impressed upon them. The interest coupons need not be authenticated other than by the facsimile signature of the officials lithographed or engraved thereon. The bonds shall be issued and sold from time to time, and in such amounts as the commissioners shall determine, the sales to be made to the highest bidders for cash, after advertisement, as the commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery. The commission shall have the right to reject any and all bids as its discretion may dictate.

**SECTION 17. Tax levy.**—Until the principal and interest of all bonds, issued under this act, shall be fully paid, there shall be levied annually, on all taxable property in Chester Water and Sewer District, a tax sufficient to pay such interest as it becomes due, and to provide a sinking fund sufficient to pay the principal at the date or dates of its maturity. The annual tax shall be levied and collected by the same officers and in the same manner as is provided for the levy and collection of taxes for county purposes in Chester County. The money so collected shall be applied by or under the directions of the county treasurer to the payment of principal and interest of the bonds as they respectively mature, and pending such application shall be deposited or invested by, or under the direction of, the Chester Water and Sewer District Commission, and the county treasurer.

**SECTION 18. Proceeds of bonds.**—The proceeds of the sale of the bonds shall be kept by the county treasurer as a separate fund and shall be paid out only upon orders or warrants of the Chester Water and Sewer District Commission for the purposes specified in this act.

**SECTION 19. Arbitration.**—The commission is authorized and empowered to reimburse any person in the district for the value of

any sewerage disposal contracts that may be now in effect with the City of Chester, such reimbursement to be from the proceeds of the bond issue hereinbefore authorized. The value of any contracts is to be determined by negotiation, and failing, the same shall be determined by arbitration. For the purpose of arbitration, the commission shall appoint one arbitrator, and the person affected shall appoint one. If these two agree, the reimbursements as determined by them shall be final and shall be paid. If the two appointed cannot agree, they shall appoint and call in a third arbitrator, and the determination of a majority of the three shall be final and the award fixed shall be paid.

**SECTION 20. Saving clause.**—It is declared to be the legislative intent that the provisions of this act are separable and that if any provisions of this act be declared unconstitutional or invalid that such unconstitutionality or invalidity shall not extend to, affect or impair the remaining provisions of this act, which shall continue in full force and effect.

**SECTION 21. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 22. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R665, H1855)

**No. 481**

**An Act To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, To Direct The Expenditure Thereof, And Relating To Other Matters In The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The Auditor of Chester County is hereby directed to levy during the year 1963, upon the recommendation and approval of a majority of the Chester County Legislative Delegation, a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year beginning July 1, 1963, and ending June 30, 1964. *Provided*, that the treasurer is

hereby directed to collect such tax. *Provided*, further, that the Auditor of Chester County is hereby prohibited from the levying of any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided*, further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1. Administration:

A. Office of Clerk of Court:

|                              |             |
|------------------------------|-------------|
| Clerk .....                  | \$ 4,725.00 |
| Deputy Clerk .....           | 3,045.00    |
| Assistant Deputy Clerk ..... | 2,415.00    |

B. Office of Auditor:

|   |          |
|---|----------|
| Auditor (in addition to amount paid by the State of South Carolina) ..... | 1,500.00 |
| Auditor—travel expenses .....   | 300.00   |
| Assistant Auditor .....   | 3,045.00 |

C. Office of Treasurer:

|   |          |
|---|----------|
| Treasurer (in addition to amount paid by the State of South Carolina) ..... | 1,500.00 |
| Treasurer—travel expenses .....   | 300.00   |
| Assistant Treasurer .....   | 3,045.00 |

|                            |          |
|----------------------------|----------|
| D. Tax Collector .....     | 3,990.00 |
| Deputy Tax Collector ..... | 2,730.00 |

E. Office of Judge of Probate:

|                                       |          |
|---------------------------------------|----------|
| Judge of Probate, Salary .....        | 4,725.00 |
| Deputy Judge of Probate, Salary ..... | 2,415.00 |

F. Office of the County Manager and the County Board of Directors:

|   |          |
|---|----------|
| Board members—Chairman, \$1,260.00, four members @ \$1,050.00 each .....                    | 5,460.00 |
| County Manager .....  | 6,300.00 |
| <i>Provided</i> , that the County Manager shall carry out duties as hereinafter prescribed. |          |
| Stenographer for County Manager .....   | 3,045.00 |

|   |          |
|---|----------|
| G. Board of Equalization and Assessment Control .....   | 1,575.00 |
| <i>Provided</i> , that this appropriation shall be spent under the direction of the County Manager, with the approval of the Chester County Legislative Delegation. |          |

|  |             |
|--|-------------|
| H. Legal Services, including County Attorney . . .   | 2,310.00    |
| <i>Provided</i> , that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information. |             |
| I. Premiums on Bonds of County Officials . . . . .   | 1,500.00    |
| J. Premiums on Workmen's Compensation Insurance for County Employees . . . . .   | 6,000.00    |
| K. Janitor Service—Courthouse and other public buildings . . . . .   | 2,100.00    |
| <i>Provided</i> , the County Manager shall use the prison labor when available.  |             |
| L. Custodian of Chester County War Memorial Building . . . . .   | 840.00      |
| <i>Provided</i> , the custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.  |             |
| M. Coroner—Salary . . . . .  | 1,450.00    |
| Coroner—Travel expenses . . . . .  | 300.00      |
| Item 2. Sheriff's Office:  |             |
| A. Sheriff . . . . .   | \$ 4,725.00 |
| Deputy Sheriff . . . . .   | 4,116.00    |
| Record Clerk . . . . .   | 2,415.00    |
| The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise.  |             |
| <i>Provided</i> , the record clerk shall keep such records and such records shall be available to the magistrates and all law enforcement officers.  |             |
| <i>Provided</i> , further, such records shall show the time when a prisoner is confined in County Jail and when released.  |             |
| B. Jailer . . . . .  | 2,730.00    |
| <i>Provided</i> , that the Sheriff or Jailer may reside in the living quarters of the jail and shall have charge of the dieting of prisoners in the jail.  |             |

*Provided*, further, when the Sheriff resides within the jail, he shall also serve as Jailer.

- C. Jail expenses in dieting of prisoners and convicts in County Jail ..... 6,000.00

*Provided*, that the jailor or Sheriff keep an accurate record of the time a prisoner enters and leaves the County Jail and the number of meals served each prisoner while he is confined in the County Jail. Such Jailor or Sheriff shall be paid on the basis of thirty cents per meal.

*Provided*, further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. *Provided*, further, that the Jailor or Sheriff shall submit to the County Manager his record of time each prisoner or convict spent in County Jail. Such records shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts. The record shall be kept in Jail Book on file in County Jail, and all entries shall be made with ink or indelible pencil.

*Provided*, further, that before payment is made by the County Manager to the Jailor or Sheriff the County Manager shall compare and check record submitted by Jailor or Sheriff with the Jail Book in the Sheriff's Office.

Item 3. Magistrates:

|                                      |             |
|--------------------------------------|-------------|
| A. First District .....              | \$ 3,528.00 |
| B. Second District .....             | 1,260.00    |
| C. Third District .....              | 1,470.00    |
| D. Fourth District .....             | 1,050.00    |
| E. Fifth District .....              | 913.50      |
| F. Sixth District .....              | 913.50      |
| G. Seventh District .....            | 3,150.00    |
| H. Magistrates' Constables (5) ..... | 1,165.50    |

- Item 4. Law Enforcement, Countywide (Chester County Police) .....\$ 34,870.50

*Provided*, that at least two officers shall be on duty at all times during the hours of darkness.

Item 5. Law Enforcement, Great Falls Area .....\$ 16,590.00

Item 6. Miscellaneous Law Enforcement:

A. Support and Maintenance of Convicts at Stockade .....\$ 10,000.00

B. Technician for Police Radio ..... 600.00

C. Leased Telephone Line for Great Falls Law Enforcement Officers ..... 1,080.00

D. Police Radio Operator ..... 3,045.00

E. County Share for Police Radio Operator ..... 1,522.50

F. Relief Operator, Police Radio ..... 840.00

*Provided*, that Police Radio Operators and Police Radio Technician shall be employed by the Chester County Police Commission upon the recommendations of the Chief of County Police; and *provided*, further, that the Chester County Police Commission shall prescribe the duties of the Police Radio Operator and Police Technician.

G. Uniforms and supplies for Law Enforcement Officers ..... 2,000.00

*Provided*, that the County Manager shall purchase uniforms as needed.

*Provided*, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of \$25.00 per month from such officer's pay for a period of six months to apply to the purchase of uniforms.

H. Jurors and Witnesses, including Magistrates' Jurors for regular or special term of court .... 8,000.00

*Provided*, that jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.

*Provided*, further, jurors shall be paid at the rate of seven dollars and fifty cents per day.

*Provided*, further, Magistrates' jurors shall be paid as provided by law.

I. Post Mortems, Inquests, Lunacy Commitments 1,000.00

|         |  |           |
|---------|--|-----------|
| J.      | For operation of Law Enforcement automobiles<br><i>Provided</i> , that identification signs shall be placed<br>on all Chester County law enforcement automo-<br>biles. The County shops shall be used for main-<br>tenance of all law enforcement automobiles and<br>vehicles whenever possible. <i>Provided</i> , further,<br>that law enforcement automobiles shall be used<br>for official business only. | 6,500.00  |
| K.      | Highway Patrol, telephones .....   | 1,000.00  |
| Item 7. | Farm Agencies:   |           |
| A.      | Supplement to County Agent .....   | \$ 945.00 |
| B.      | County Agent for supplemental postage, tele-<br>phone, etc. ....   | 50.00     |
| C.      | Supplement to Salary of Assistant County Agent   | 630.00    |
| D.      | Supplement to County Agent's Stenographer..  | 420.00    |
| E.      | Boys' 4-H Club Work .....  | 50.00     |
| F.      | Girls' 4-H Club Work .....   | 50.00     |
| G.      | Supplement to Salary of Home Demonstration<br>Agent .....  | 315.00    |
| H.      | Supplement to Stenographer for County Home<br>Demonstration Agent .....  | 630.00    |
| I.      | Supplies for Home Demonstration Agent ....   | 100.00    |
| J.      | Supplement to Salary, Negro Agricultural<br>Agent .....  | 252.00    |
| K.      | Janitor Service .....  | 48.00     |
| L.      | Rent .....   | 240.00    |
| M.      | Lights .....   | 24.00     |
| N.      | Fuel .....   | 80.00     |
| O.      | Telephone .....  | 122.00    |
| P.      | Secretary to Negro Agricultural Agent and Ne-<br>gro Home Demonstration Agent .....  | 1,500.00  |
| Q.      | Negro Home Demonstration Agent, Material.  | 60.00     |
| R.      | Negro Agricultural Agent, Demonstration Ma-<br>terial .....  | 50.00     |
| S.      | Negro 4-H Club Work, Boys' and Girls' ....   | 150.00    |
| T.      | Negro Home Demonstration Agent .....   | 1,827.00  |
| Item 8. | Welfare:   |           |
| A.      | Supplement to Salary of County Director of<br>Public Welfare .....   | \$ 315.00 |
| B.      | Supplement to Chester County Public Welfare<br>Board .....   | 408.00    |

*Provided*, that members shall be paid at the rate of ten dollars per meeting and for mileage. (12 meetings per year)

- C. Supplement to salaries of Case Workers and Junior Stenographers, Chester County Welfare Department, to be paid at the rate of \$10.00 per month per worker ..... 720.00
- Item 9. Health:
  - A. State Board of Health—Vital Statistics .....\$ 500.00
  - B. County Health Department ..... 13,830.00
  - C. Tuberculosis Clinic Work ..... 800.00
  - D. County Physician ..... 1,452.00
- Item 10. Veterans:
  - A. Service Officer for Veterans of all wars .....\$ 3,900.00
  - B. Travel for Service Officer, if so much be necessary ..... 1,200.00
  - C. Stenographic Help for Service Officer ..... 2,300.00
- Item 11. National Guard Unit at Chester .....\$ 1,500.00
- Item 12. Road Department:
  - A. Road equipment and expenses of operation of same, including road construction program operated in connection with and under the supervision of the State Highway Department on State highways, including labor, roads, bridges, culverts and pipe lines .....\$ 57,500.00

*Provided*, that the above amount is appropriated for the above-stated purposes only, and before any new road construction or new projects are undertaken by the County Manager and County Board of Directors, prior appropriation therefor shall be made by the County Legislative Delegation. *Provided*, further, that the County Manager shall be held responsible for any construction or new projects made contrary to the above provisions.

*Provided*, further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County. Such signs shall be as follows: "Property of Chester County."

## Item 13. Miscellaneous :

|  |           |
|--|-----------|
| A. Contributions on office rent, heat, water, lights, janitor service, Farm Home Administration . . . \$   | 160.00    |
| B. Public Buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building . . . . .  | 12,000.00 |
| C. Printing, postage and stationery . . . . .  | 10,000.00 |
| D. Retirement and Social Security, County employees . . . . .  | 12,000.00 |
| E. Chester County Commerce and Development Board, for advertising county advantages, if so much be necessary . . . . .   | 6,000.00  |
| F. Chester Soil Conservation District to be used in employment of personnel to work with the Soil Conservation Service . . . . .   | 1,000.00  |
| G. Miscellaneous Expenses, County Manager . . .  | 1,200.00  |
| H. Civil Defense, if so much be necessary . . . . .  | 4,900.00  |
| <i>Provided</i> , the appropriation for Civil Defense shall be budgeted by the County Manager with the approval of the Chester Legislative Delegation.   |           |
| I. Board of Registration . . . . .   | 500.00    |
| J. Expense, Tax Notices and Auditing Fees . . .  | 1,000.00  |
| K. Premium, Accident Insurance, County Law Enforcement Officers . . . . .  | 275.00    |
| L. Nursing Home Patients, if so much be necessary . . . . .  | 6,000.00  |
| <i>Provided</i> , that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State Board of Public Welfare and the State Health Department; <i>provided</i> , further, that such patients shall be approved by the Chester County Welfare Department. |           |
| M. Chester County Board of School Trustees . . .   | 3,120.00  |
| <i>Provided</i> , that the above appropriation shall be paid each trustee at the rate of \$25.00 per meeting not to exceed 12 meetings per year.   |           |
| N. Chester County Library (in addition to levy made hereinafter in Section 2) . . . . .  | 5,000.00  |

- O. Mental Health Clinic, Chester County's Contribution ..... 4,970.43  
*Provided*, this amount is hereby appropriated contingent upon the operation of a mental health clinic in conjunction with Lancaster and York Counties.
- P. Hospitalization of charity patients whose condition demands hospitalization, if so much be necessary ..... 10,000.00  
*Provided*, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided*, further, the Chester County Hospital Board is responsible for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided*, further, that the Chester County Board of Public Welfare is hereby directed to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided*, further, that the charity patients referred to herein shall be citizens of Chester County.
- Total ..... \$355,192.93

**SECTION 2.** The following taxes are levied upon the taxable property of Chester County for the year 1963 for expenditure during the fiscal year commencing July 1, 1963 and ending June 30, 1964, for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950), three mills;

(b) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on

roads now in or roads to be placed in the State Highway System. The funds raised from this levy are appropriated for the abovestated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

*Provided*, the road construction program operated in connection with the South Carolina Highway Department may be discontinued upon approval of the majority of the Chester Legislative Delegation.

(c) For Chester County Library, one and three-quarters mills; *provided*, this levy shall supersede levy made in Act No. 293 of the Acts of the General Assembly of 1949.

*Provided*, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester County Legislative Delegation, to reduce these levies or to eliminate them entirely.

*Provided*, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

**SECTION 3.** The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency; *provided*, it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

**SECTION 4.** In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes and *provided*, further, that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

**SECTION 5.** All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

**SECTION 6.** The errors, if any, in the total of this act shall not affect any of the several items named herein.

**SECTION 7.** The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

**SECTION 8.** The county manager is hereby authorized to allow pay for full ten days' time every two weeks for regular truck drivers, regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided*, these employees shall be paid weekly; *provided*, however, that these employees report for work and do such work as conditions will permit; *provided*, further, that this shall not interfere with previous arrangements made by the county manager in cases of sickness of employees and shall not interfere with the number of holidays heretofore allowed and *provided*, further, that the provisions of this section shall not be construed to interfere with the authority of the county manager to discharge any employee for cause, dismiss one when his term of employment has expired, or "lay off" one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided*, further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ of the county for one full continuous year immediately preceding such vacation. *Provided*, further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Appropriations Act. *Provided*, further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval. *Provided*, further, that the county manager is hereby authorized and directed to increase salaries of all county road employees enumerated above five per cent as of July 1, 1963.

**SECTION 9.** The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

or sell land and building formerly known as the Chester County Nurs-

**SECTION 10.** The county manager is hereby authorized to lease

ing and Convalescent Home. *Provided*, that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

**SECTION 11.** The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

**SECTION 12.** The salary for the court bailiff is hereby fixed at six dollars per diem for days actually served in court.

**SECTION 13.** The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month and shall forward a copy to each member of the legislative delegation.

**SECTION 14.** The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway System.

**SECTION 15.** The words "County Delegation", "majority of the legislative delegation", and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

**SECTION 16.** The county manager shall annually inventory and identify by proper number of markings all furniture, fixtures and equipment owned by Chester County.

**SECTION 17.** The levy provided for in Section 21-1816, Code of Laws of South Carolina, 1962, as amended, shall be utilized only for the operation of the schools of Chester County.

**SECTION 18.** During such times as the county offices are required to remain open, according to the provisions of Section 14-1357 of the Code of 1962, all full time county officials and employees shall devote full time to the duty for which elected or employed, and they shall not engage in any other employment or activity for financial return.

**SECTION 19.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R72, H1180)

**No. 482**

**An Act To Extend The Open Season For The Hunting Of Quail In Chesterfield County And Marlboro County For The Year 1963 Only.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail season for Chesterfield and Marlboro Counties.**—Notwithstanding any other provisions of law to the contrary, the open season for the hunting of quail in Chesterfield County and Marlboro County shall be to and include March first for the year 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R122, H1296)

**No. 483**

**An Act To Authorize The Town Council Of The Town Of McBee In Chesterfield County To Close And Convey A Portion Of Juniper Avenue In The Town Of McBee.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of McBee may close certain street.**—The Town Council of the Town of McBee in Chesterfield County is authorized to close that portion of Juniper Avenue between Tenth Street and Eleventh Street and to convey such land to the Board of Trustees of School District No. 3 of Chesterfield County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

(R367, H1426)

**No. 484****An Act To Make Supplemental Appropriations For The Fiscal Year 1962-1963 From The General Fund Of Chesterfield County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations for the fiscal year 1962-1963 are made from the general fund of Chesterfield County :

|   |             |
|---|-------------|
| Printing, Postage, and Stationery .....           | \$ 2,500.00 |
| County Contribution to Retirement .....           | 3,700.00    |
| County Contribution to Social Security .....      | 500.00      |
| Maintenance & Operation of Sheriff's Radios ..... | 300.00      |
| Jail Expenses .....                               | 2,500.00    |
| Post Mortem, Inquest & Lunacy .....               | 500.00      |
| Maintenance of Indigent .....                     | 2,000.00    |
| Property Reassessment .....                       | 1,000.00    |

*Provided*, that first, from the funds of this appropriation, so much as is necessary, shall be used to purchase a calculating machine and the balance of such funds shall be used by the Chesterfield County Board of Tax Assessors, to be created by House Bill No. 1673, to hire in its sole discretion, upon such terms and at such salary as the board shall determine, any additional employees it deems necessary to expedite the property reassessment program of Chesterfield County.

|  |        |
|--|--------|
| Air Conditioner for the office of the Probation, Pardon and Parole Officer (located in the courthouse) . | 250.00 |
|--|--------|

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\$ 13,250.00

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 17th day of May, 1963.

(R653, H1925)

**No. 485****An Act To Amend Act No. 514 Of 1961, Relating To The Operation Of The Sewerage System Of Windsor Park Subdivision**

**In Chesterfield County, So As To Provide For The Collection Of Service Charges.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act 514 of 1961 amended—new section added—sewerage charges.**—Act No. 514 of 1961 is amended by adding a new section which shall read as follows :

“Section . . . . . The Chesterfield County Board of Commissioners is directed to prepare a list of all property owners or tenants in the Windsor Park Subdivision in Chesterfield County who may be subject to a sewerage charge and submit this list to the treasurer. The treasurer is directed to collect from the owners or tenants a sewerage charge to be determined by the board of commissioners, such charges to be placed in the general fund of the county. The treasurer shall collect any service charges which may be in arrears since the system came under the operation of the county. The clerk of court shall report to the commissioners any transfer of property in the area which shall include the new owners' names and addresses.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R677, H1771)

**No. 486**

**An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following appropriations are hereby made for the fiscal year July 1, 1963 to June 30, 1964 for the operation of the county government of Chesterfield County :

Item 1. Chesterfield County Highway Fund . . . . . \$ 86,000.00

This fund shall be spent by the County Board of Commissioners for the construction, improve-

ment and maintenance of county public roads and bridges; for the purchase, repair, replacement and maintenance of road building and maintenance machinery; for the operation of the county chain gang; and for the purposes specified in this act and as set forth in the official budget of the Board of Commissioners and for incidental purposes.

|                     |              |
|---------------------|--------------|
| Total, Item 1 ..... | \$ 86,000.00 |
|---------------------|--------------|

Item 2. Administrative Department:

|   |           |
|---|-----------|
| Clerk of Court .....  | \$ 600.00 |
| Clerk of Court, Clerk Hire .....  | 1,800.00  |
| Salary of Probate Judge .....   | 100.00    |
| Clerical Help, Probate Judge .....  | 2,100.00  |
| <i>Provided, this appropriation is on condition that the Probate Judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1963, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge, if such officer be appointed.</i> |           |
| Salary of County Auditor .....  | 2,100.00  |
| Clerical Assistance to County Auditor .....   | 4,600.00  |
| Salary of County Treasurer .....  | 2,100.00  |
| Clerical Assistance to County Treasurer .....   | 4,600.00  |
| Extra Clerical Help, if needed for preparation of 1963 Tax Books, Treasurer's and Auditor's offices, \$400.00 each .....  | 800.00    |
| Tax Collector .....   | 4,000.00  |
| One clerk to Tax Collector .....  | 2,400.00  |
| Salary, County Board of Commissioners, three @ \$600.00 each .....  | 1,800.00  |
| Travel—County Board of Commissioners, three @ \$900.00 each .....   | 2,700.00  |
| Salary of Clerk to County Board of Commissioners and Road Supervisor .....  | 4,000.00  |

|  |          |
|--|----------|
| Travel Expenses for Clerk to County Board ..   | 900.00   |
| For Assistant Clerk Hire .....   | 2,820.00 |
| Salary of Coroner .....  | 720.00   |
| Travel Expense—County Coroner .....  | 360.00   |
| County Service Officer .....   | 2,700.00 |
| Travel Expense—County Service Officer .....  | 1,200.00 |
| Clerk, County Service Office .....   | 2,200.00 |
| The state funds payable to Chesterfield County for the maintenance and services of the County Service Office shall be deposited in the county treasury to the credit of the General County Fund. |          |
| Janitor, Courthouse .....  | 2,080.00 |
| Construction of colored rest rooms in Courthouse .....   | 2,000.00 |
| County Board of Equalization .....   | 1,500.00 |
| Vital Statistics .....   | 300.00   |
| Stenographer, County and Home Demonstration Office .....   | 1,440.00 |
| For Demonstration Supplies and Telephone ...   | 250.00   |
| Boys' 4-H Club Work .....  | 100.00   |
| Girls' 4-H Club Work .....   | 100.00   |
| Negro 4-H Club Work, Boys' and Girls' .....  | 200.00   |
| Future Farmers of America .....  | 300.00   |
| Salary of Negro Home Demonstration Agent ..  | 1,020.00 |
| Negro Home Demonstration Agent-Supplies ..   | 50.00    |
| Negro Agricultural Agent and Negro Home Demonstration Agent—Rent, Equipment, Office Expenses and Clerical Help .....   | 2,175.00 |
| <i>Provided</i> , this fund shall be spent upon the approval of the Negro Agricultural Agent and the Negro Home Demonstration Agent.   |          |
| <i>Provided</i> , further, that the appropriations for a Negro Home Demonstration Agent shall cease when such expense is taken over by the State and Federal Governments.                        |          |
| County Agent, Home Demonstration Agent, and Assistant County Agents .....  | 1,400.00 |
| <i>Provided</i> , that each agent and assistant agent must have at least five years' experience in Extension Work to qualify; and <i>provided</i> , further,                                     |          |

that this fund shall be disbursed by the County Agent and no agent shall receive less than \$300.00.

|  |          |
|--|----------|
| Payment of Rent for FHA Office .....   | 240.00   |
| Master's Office—Telephone and Supplies .....   | 150.00   |
| County Health Department .....   | 8,500.00 |
| Water, fuel, lights and insurance and other incidentals for maintenance of public buildings .. | 8,000.00 |
| Printing, postage, stationery, office supplies and incidentals for county offices .....        | 9,500.00 |
| To Clerk of Court for maintenance of Court-house grounds .....                                 | 100.00   |
| Salary of County Attorney .....  | 1,000.00 |

*Provided*, that the county attorney shall be appointed by the County Board of Commissioners subject to the approval of a majority of the county legislative delegation. *Provided*, further, that the county attorney shall handle all uniform support cases which have formerly been handled by the circuit solicitor.

|  |          |
|--|----------|
| County Contribution to Retirement County Officials .....   | 8,900.00 |
| Workmen's Compensation .....   | 1,500.00 |
| Workmen's Compensation coverage for Chesterfield County School Teachers and School Employees, if so much be needed ..... | 1,800.00 |

*Provided*, that the School Teachers and all School Employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund.

|  |          |
|--|----------|
| County Contribution to Social Security of County Employees ..... | 6,000.00 |
|--|----------|

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Total, Item 2 .....\$103,205.00

Item 3. Judicial Department:

|                           |             |
|---------------------------|-------------|
| Salaries of Magistrates:  |             |
| Courthouse Township ..... | \$ 1,500.00 |
| Pageland Township .....   | 1,500.00    |
| Cheraw Township .....     | 1,500.00    |

|  |          |
|--|----------|
| Alligator Township .....   | 1,200.00 |
| Mt. Croghan Township .....   | 1,200.00 |
| Jefferson Township .....   | 1,200.00 |
| Cole Hill Township .....   | 1,200.00 |
| Pee Dee Township .....   | 750.00   |
| Steer Pen Township .....   | 750.00   |
| Brock's Mill District .....  | 750.00   |
| Travel and office supplies for magistrates @<br>\$25.00 each per month .....   | 3,000.00 |
| Per Diem and mileage of jurors and witnesses,<br>bailiffs, court crier and other court attaches ....   | 7,000.00 |
| <i>Provided</i> , that the bailiffs and court crier shall be<br>paid at the rate of fifteen dollars for each day of<br>attendance on the court; <i>provided</i> , further, that<br>the bailiffs and court crier and jurors shall be<br>paid mileage both ways for each day of attend-<br>ance on the court at the rate of seven cents per<br>mile; <i>provided</i> , further, that magistrate court<br>jurors in criminal cases shall be paid two dollars<br>each, such payment to be made by the Board<br>of County Commissioners on the certification of<br>the magistrate and to be disbursed by the magis-<br>trate. |          |

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Total, Item 3 ..... \$ 21,550.00

Item 4. Law Enforcement:

|   |             |
|---|-------------|
| Sheriff, General Salary .....   | \$ 4,400.00 |
| Sheriff, Travel Expense .....   | 2,280.00    |
| Salary, Seven Rural Deputies @ \$3,900.00 each  | 27,300.00   |
| Uniforms for seven Deputy Sheriffs and Radio<br>Operator, to be approved by Sheriff .....     | 1,600.00    |
| Clerical Assistants and Radio Operators for<br>Sheriff's Office .....                         | 4,000.00    |
| Maintenance and operation of radios for Sheriff<br>and Deputy Sheriffs, and incidentals ..... | 1,800.00    |
| Jail expense, including dieting of prisoners at<br>\$1.50 per day, and incidentals .....      | 7,000.00    |
| Cook for Jail .....   | 650.00      |
| Post Mortems, Inquests and Lunacies .....   | 1,400.00    |
| Officers' Bond .....  | 1,800.00    |

## Magistrates' Constables:

|                             |        |
|-----------------------------|--------|
| Pee Dee Township .....      | 480.00 |
| Steer Pen Township .....    | 480.00 |
| Brock's Mill Township ..... | 480.00 |

|  |           |
|--|-----------|
| Maintenance and Operation of cars owned by county and used by Sheriff's Department and Tax Collector ..... | 11,080.00 |
|--|-----------|

|  |           |
|--|-----------|
| Purchase of seven new automobiles for Sheriff's Department ..... | 14,000.00 |
|--|-----------|

*Provided*, maintenance of cars shall be done at county shop when possible, and County Board of Commissioners shall purchase equipment necessary for repair and maintenance of such vehicles.

*Provided*, further, that Sheriff shall be custodian of gas, oil and tires purchased by county for use by Sheriff's Department and Tax Collector. *Pro-*

*vided*, further, that automobiles of Sheriff's Department shall be used by Sheriff and Deputy Sheriffs in the performance of their official duties only, and the automobile of the Tax Collector's

office shall be used by the Tax Collector in the performance of his official duties only; *provided*,

further, that each Deputy Sheriff and the Tax Collector shall file with the Sheriff a record of mileage, gas, oil, etc., each day, and each Deputy Sheriff shall file with the Sheriff a record of war-

rants, complaints, arrests, investigations, or other activities; and *provided*, further, that Sheriff shall file and retain each record in his office

for a period of at least three years. *Provided*, further, that the automobiles of the Sheriff's

Department shall be marked on each of the front doors so as to show that the vehicle is owned by the County of Chesterfield, Sheriff's Department.

Automobile insurance on automobiles of Sheriff's Department and transportation expense, other than automobile expense .....

1,000.00

|                                      |          |
|--------------------------------------|----------|
| Secretary to Probation Officer ..... | 1,200.00 |
|--------------------------------------|----------|

|                     |              |
|---------------------|--------------|
| Total, Item 4 ..... | \$ 80,950.00 |
|---------------------|--------------|

## Item 5. Contributions and Charity:

|                                |             |
|--------------------------------|-------------|
| Maintenance of Indigents ..... | \$ 6,000.00 |
| Charity Hospital Fund .....    | 10,000.00   |

This fund shall be spent by the County Board of Commissioners, and shall be paid directly to the hospitals. Such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary. All applications to the County Board of Commissioners for benefits under the 'Hospitalization Fund' herein provided shall be referred by the clerk of the board to the County Welfare Department, which shall make an immediate investigation and report its findings, conclusions and recommendations to the County Commissioners. No application for hospital aid shall be approved unless and until it has been recommended by the Director of the County Welfare Department; *provided*, that the Clerk of the County Board of County Commissioners and the Administrator of the Chesterfield County Memorial Hospital may authorize such aid when the physician certifies that an immediate hospitalization is necessary for an operation or other sufficient medical reason, but not otherwise; *provided*, further, that the application of the patient, the recommendation of the Director of the County Welfare Department and the action of the Board of County Commissioners must be attached to and made a part of the voucher for the payment of all grants of aid under such Hospitalization Fund. When an emergency application for aid from the Hospitalization Fund has been granted by the clerk, or the Board of County Commissioners, as herein authorized, the certificate of the physician upon which the application was granted and the written authorization of the clerk must be attached to the warrant or voucher issued for payment of such aid. No authorization for hospital care shall be good for more than ten

days unless reinvestigated and reapproved and the Board of County Commissioners shall have the authority to set maximums, both for per day and total care. The Treasurer of Chesterfield County is forbidden to pay any claim or voucher drawn against the Hospitalization Fund unless it strictly complies with the terms and conditions herein prescribed, and has such proofs thereunto annexed, and the voucher and proof shall be retained as a permanent record.

|  |          |
|--|----------|
| Physicians' Fees and Drugs .....                                 | 1,000.00 |
| County Tuberculosis Health Nurse, Supplies and Incidentals ..... | 964.00   |
| Three National Guard Companies, \$1,000.00 each .....            | 3,000.00 |
| Secretarial Help, Soil Conservation Office ....                  | 1,200.00 |
| Secretarial Help, F.H.A. Office .....                            | 300.00   |
| Chesterfield County Development Board .....                      | 1,000.00 |
| Chesterfield County Rescue Squad .....                           | 1,900.00 |

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Total, Item 5 .....\$ 25,364.00

Item 6. Chesterfield County Welfare Department:

|   |          |
|---|----------|
| Emergency Relief .....                        | 1,000.00 |
| Emergency Board for Children .....            | 1,000.00 |
| Office Rent .....                             | 1,200.00 |
| Telephone and Telegraph .....                 | 240.00   |
| Fire Insurance Premium on Office Equipment .. | 45.00    |
| Contingent Fund .....                         | 500.00   |

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Total, Item 6 .....\$ 3,985.00

*Provided*, the Board of Commissioners is directed and required to supply the necessary fuel, lights, and water for the County Welfare Office and to pay for the same out of the appropriation herein for water, fuel, lights, etc., for the maintenance of public buildings.

Item 7. General Contingent Fund .....\$ 15,000.00

*Provided*, that this amount, or so much thereof as is required, shall be expended to meet unfore-

seen emergencies and contingencies by the Board of County Commissioners; *provided*, further, that any claims, or items payable from this fund shall be paid only upon approval in writing of a majority of the county legislative delegation.

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|  |              |
|--|--------------|
| Total, Item 7 .....  | \$ 15,000.00 |
| Item 8. For Annual County Audit, if so much be necessary ..... | \$ 4,000.00  |

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|                     |             |
|---------------------|-------------|
| Total, Item 8 ..... | \$ 4,000.00 |
|---------------------|-------------|

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|  |             |
|--|-------------|
| Item 9. Reassessment of Property for Tax Purposes: |             |
| County Tax Assessor .....                          | \$ 5,000.00 |
| Assistant County Tax Assessor .....                | 4,600.00    |
| Two junior assistants @ \$2,400.00 .....           | 4,800.00    |
| One Clerk .....                                    | 2,400.00    |
| Mileage and supplies .....                         | 3,000.00    |

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19,800.00

*Provided*, that the junior assistants and clerk are to be hired by the County Board of Commissioners upon the recommendation of the County Tax Assessor and upon the approval of the majority of the county legislative delegation.

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|   |              |
|---|--------------|
| Total, Item 9 .....                                   | \$ 19,800.00 |
| Item 10. Pageland-Jefferson-Mt. Croghan Airport ..... | \$ 8,000.00  |

*Provided*, that this fund be expended only in the event the Federal Government contributes fifty per cent of the cost of such airport.

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|----------------------|-------------|
| Total, Item 10 ..... | \$ 8,000.00 |
|----------------------|-------------|

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|                   |              |
|-------------------|--------------|
| GRAND TOTAL ..... | \$367,854.00 |
|-------------------|--------------|

Estimated Revenue:

|                         |              |
|-------------------------|--------------|
| Gasoline Tax .....      | \$115,000.00 |
| Liquor Tax .....        | 30,000.00    |
| Beer and Wine Tax ..... | 8,000.00     |

|   |           |
|---|-----------|
| Income Tax .....                        | 45,000.00 |
| Insurance License Fee .....             | 12,000.00 |
| Bank Tax .....                          | 4,500.00  |
| Delinquent Tax .....                    | 9,000.00  |
| Magistrates' Fines .....                | 44,000.00 |
| Clerk of Court .....                    | 8,000.00  |
| County Service Officer .....            | 4,500.00  |
| Board of Commissioners .....            | 4,000.00  |
| Probate Judge .....                     | 2,100.00  |
| Transfer from old trust accounts .....  | 7,000.00  |
| Sale of cars—Sheriff's Department ..... | 3,500.00  |

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|                               |              |
|-------------------------------|--------------|
| Total Estimated Revenue ..... | \$296,600.00 |
|-------------------------------|--------------|

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|                                       |              |
|---------------------------------------|--------------|
| Amount to be raised by taxation ..... | \$ 71,254.00 |
|---------------------------------------|--------------|

**SECTION 2.** All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

**SECTION 3.** The County Commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, such officers shall be held liable on their official bonds. The clerk of the County Board of Commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

**SECTION 4.** All departments of the county government shall make requisition to the County Board of Commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the Board of County Commissioners to make any disbursements in excess of the appropriation made herein.

**SECTION 5.** All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor, and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be purchased by the Board of County Commissioners, upon sealed competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the Board of County Commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the Board of County Commissioners at a specific hour, on the named day, and that such sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The Board of County Commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Purchasing and Property Division of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The Board of County Commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of such bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the clerk to the Board of County Commissioners as a permanent record in the office of the County Commissioners.

**SECTION 6.** The Board of County Commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

**SECTION 7.** The County Treasurer and Clerk of Court are required to file quarterly statements in duplicate with the County

Board of Commissioners, which shall show the amount of fees collected by each of them. In addition the Treasurer's report shall show the amount of cash on hand, the amount of cash in banks, the name of the banks in which deposited; *provided*, that no county warrant for salary shall be issued to the Clerk of Court until such statement is filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided*, further, that a copy of the Treasurer's report shall be delivered by him to each member of the County Legislative Delegation and the Chairman of the County Sinking Fund Commission.

**SECTION 8.** All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract, or disbursement, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

**SECTION 9.** The county auditor is directed to levy eleven mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the County Board of Education, for the insurance of school buildings, and for the purchase or rental of textbooks for the public schools of Chesterfield County.

**SECTION 10.** The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

**SECTION 11.** The county auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county, and is hereby directed to levy ten mills for the operation of the county.

**SECTION 12.** The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, a statement of the amount of the 1963 taxes of such taxpayer. The notice shall show the school

district and township in which the property of the taxpayer is assessed.

Such statement shall include a notice that a penalty of one per cent will be added to the taxes on January 1, 1964, one per cent on February 1, 1964, and an additional one per cent on March 1, 1964 and an additional four per cent on April 1, 1964. The cost of mailing of the notices shall be paid out of the ordinary county fund on the approval of the Board of County Commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular school district.

**SECTION 13.** With the written approval of a majority of the legislative delegation, the Treasurer of Chesterfield County is authorized to borrow money from the South Carolina Division of Sinking Funds and Property in anticipation of the collection of county property taxes. Such loans shall be evidenced by notes signed by the treasurer and taxes shall be pledged for the repayment of the same.

**SECTION 14.** The Board of County Commissioners is hereby authorized and empowered to pay out of the county contingent fund all necessary costs and expenses incurred by the Tax Collector or the Forfeited Land Commission in connection with the seizure, sale and disposition of real or personal property sold under delinquent tax execution.

**SECTION 15.** No county gasoline or oil shall be sold to any person or used in any privately-owned vehicle, except as otherwise herein provided.

**SECTION 16.** The Board of County Commissioners is authorized on the filing with it of an official certificate of the County Auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its voucher for the refund of the tax so erroneously paid. The certificate of the auditor must be annexed to the voucher for the payment of the claim. Such tax refund shall be paid out of the general county fund.

**SECTION 17.** The deputy sheriff, magistrates and constables, and county game wardens, the State constables, the State Highway patrolmen, and all other State or county peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or

statement of all cases made by each of them before the Magistrate of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported and the money fines paid or collected from the defendant in each case. The Sheriff and the Treasurer shall compare such reports of law enforcement officers with the reports of the county magistrates to be filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the Treasurer by the magistrates and the amounts of fines reported by such law enforcement officers, the County Treasurer shall refer the matter to the solicitor for investigation. The County Treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the Sheriff and the Treasurer.

**SECTION 18.** The Board of County Commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the county government, and shall set out the same in the monthly report required by the provisions of Section 3 of this act.

**SECTION 19.** The board of trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the County Board of Education, have the budget published at least once in a newspaper published in the school district, or in a newspaper published at the county seat, if there be no newspaper published in the particular school district; *provided*, that the County Board of Education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

**SECTION 20.** The County Board of Commissioners shall annually make written recommendations to the county legislative delegation as to the amount of fidelity bonds and insurance coverage necessary to adequately protect the county.

**SECTION 21.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R57, S104)

**No. 487****An Act To Authorize The Board of Commissioners Of Clarendon County To Sell Certain Property, To Provide For The Terms Of The Sale And To Provide For The Disposition Of The Proceeds Of The Sale.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Clarendon County may sell property.**—The Board of Commissioners of Clarendon County, with the approval of the Clarendon County Legislative Delegation, is authorized and directed to sell, transfer and convey, under the terms and conditions hereafter set forth, property commonly known as the Clarendon County Market Bureau property and the old PMA building and described as follows:

(a) Market Bureau Property

All that piece, parcel or lot of land together with the improvements thereon located in Manning, Clarendon County, South Carolina, being bounded on the north by Rigby Street, on the east and on the south by lands now or formerly of D. W. Alderman and Sons, Co. and on the west by lands now or formerly of Gulf Refining Co., and measuring on its northern and southern lines one hundred and three (103') feet, on its eastern line sixty seven and fifteen one-hundredths (67.15') feet and on its western line sixty five and five one-hundredths (65.05') feet, all measurements being more or less. Such property is represented on a plat thereof made by G. T. Floyd, from a survey made by him on Nov. 25, 1937, reference to which may be had for a more complete description.

(b) Old PMA Building

All that piece, parcel or lot of land together with the improvements thereon located in Manning, Clarendon County, South Carolina, fronting thirty two and three one-hundredths (32.03') feet on Boyce Street and extending back therefrom in parallel lines one hundred (100') feet, all measurements being more or less. Such property is represented on a plat thereof, reference to which may be had for a more complete description, and which plat is recorded in the office of the Clerk of Court for Clarendon County in Plat Book 6 at Page 1.

**SECTION 2. Bids.**—The board of commissioners shall advertise for sealed bids on the above described property and it, with a majority of the Clarendon County Legislative Delegation, shall reserve the right to reject any and all bids and approve the terms of the sale. Persons shall be permitted to submit bids on each piece separately or one bid on both pieces.

**SECTION 3. Proceeds.**—The proceeds of the sale of the property described herein shall be used by the County Board of Commissioners of Clarendon County for capital improvements or expenditures with the approval of the Clarendon County Legislative Delegation.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R577, H1690)

No. 488

**An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1963; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1964; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1963 And Previous Years; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows:

School District No. 1: A levy of forty-eight mills tax on all taxable property in the district.

School District No. 2: A levy of fifty-three mills tax on all taxable property in the district.

School District No. 3: A levy of seventy-nine mills tax on all taxable property in the district; *provided*, that of this levy twelve mills shall be to retire

loan, Bank of Clarendon and two mills shall be to retire Old District No. 20 bonds.

School District No. S-2: A levy of eight mills on all taxable property in the district.

Three mills of the tax hereinabove levied in each district shall be reserved by the Treasurer of Clarendon County for the retirement of the obligations of the Clarendon Memorial Hospital made pursuant to Part II of Act No. 517 of 1961. This levy shall be discontinued when this obligation has been paid in full.

(a) Auditor's Office:

|   |             |
|---|-------------|
| Auditor .....   | \$ 1,200.00 |
| <i>Provided</i> , this amount shall be varied if necessary, to provide a total salary to the Auditor from state and county of \$5,000.00. |             |
| Clerk to Auditor .....  | 2,400.00    |
| Extra Clerical Help on direct claim by extra clerk and approved by Auditor .....  | 400.00      |
| <hr/>   |             |
| Total .....   | \$ 4,000.00 |

(b) Clerk of Court's Office & Probate Judge:

|  |              |
|--|--------------|
| Clerk of Court .....   | \$ 5,000.00  |
| Services as Probate Judge .....  | 800.00       |
| Deputy Clerk of Court & Probate Judge .....                              | 2,520.00     |
| Clerk .....  | 2,400.00     |
| Clerk .....  | 2,400.00     |
| Clerk—Probate Judge's Office .....                                       | 2,400.00     |
| Record Books, Repairs, Supplies, Furniture, Equipment and Lighting ..... | 500.00       |
| <hr/>  |              |
| Total .....  | \$ 16,020.00 |

(c) Coroner's Office:

|   |             |
|---|-------------|
| Coroner .....   | \$ 1,650.00 |
| Coroner, for telephone .....  | 60.00       |
| Travel Allowance .....  | 120.00      |
| Coroner's Jurors, \$2.00 each to be paid out on warrants of the Coroner ..... | 400.00      |
| Expenses of Post Mortems, Inquests and Lunacy .....                           | 500.00      |
| <hr/>   |             |
| Total .....   | \$ 2,730.00 |

## (d) Sheriff's Office:

|   |              |
|---|--------------|
| Sheriff .....   | \$ 5,000.00  |
| Sheriff, Travel Allowance .....   | 900.00       |
| Sheriff, Telephone .....  | 60.00        |
| Clerk .....   | 2,400.00     |
| Chief Deputy Sheriff .....  | 4,500.00     |
| Chief Deputy Sheriff, travel .....  | 1,100.00     |
| Chief Deputy Sheriff, telephone .....   | 60.00        |
| Second Deputy Sheriff .....   | 4,500.00     |
| Second Deputy Sheriff, travel .....   | 900.00       |
| Second Deputy Sheriff, telephone .....  | 60.00        |
| Third Deputy Sheriff .....  | 4,500.00     |
| Third Deputy Sheriff, travel .....  | 900.00       |
| Third Deputy Sheriff, telephone .....   | 60.00        |
| Travel outside county, to be paid on warrants<br>signed by Sheriff for meals and lodging only ... | 200.00       |
| Fingerprint Supplies, Gun and Ammunition and<br>other necessary police supplies .....             | 250.00       |
| Secret Service Fund .....   | 200.00       |
| Uniforms, to be expended on claims with in-<br>voices attached, \$100.00 each .....               | 400.00       |
| Automobiles and Communication System, Main-<br>tenance, Equipment and Repairs .....               | 800.00       |
| Jailor .....  | 1,200.00     |
| Jail Expenses and Supplies, including dieting of<br>prisoners at \$1.00 per day .....             | 4,000.00     |
| Total .....   | \$ 31,990.00 |

## (e) Superintendent of Education's Office:

|  |              |
|--|--------------|
| School District No. 1—for operation and main-<br>tenance of public school system for nine months,<br>if so much be necessary ..... | \$ 40,000.00 |
| School District No. 2—for operation and main-<br>tenance of public school system for nine months,<br>if so much be necessary ..... | 83,500.00    |
| School District No. 3—for operation and main-<br>tenance of public school system for nine months,<br>if so much be necessary ..... | 33,500.00    |
| Superintendent of Education (to be paid to<br>County Board of Education) .....   | 200.00       |

*Provided*, this amount shall be varied if necessary to provide a total salary to the Superintendent of Education, from state and county of \$5,000.00.

|   |                     |
|---|---------------------|
| Travel Allowance .....  | 900.00              |
| Clerk to Board of Education .....   | 2,400.00            |
| County Attendance Teacher, travel .....   | 1,080.00            |
| School Lunch Supervisor, travel .....   | 420.00              |
| Attendance Teacher for books and supplies for needy children .....  | 480.00              |
| Distributive Education:   |                     |
| Travel .....  | 150.00              |
| Salary .....  | 505.00              |
| Transportation charges, storage on commodities, if so much be necessary, to be expended on the order of the County Board of Education ..... | 2,500.00            |
| <b>Total .....</b>  | <b>\$165,635.00</b> |

(f) Supervisor's Office:

|   |                     |
|---|---------------------|
| Supervisor .....  | \$ 5,000.00         |
| Clerk .....   | 2,400.00            |
| Roads, bridges and convicts .....   | 49,500.00           |
| R. F. D. Routes, for use exclusively upon neighborhood roads and other byroads traversed by R. F. D. .... | 700.00              |
| Repairs to Machinery .....  | 6,000.00            |
| Expenses and supplies for making concrete pipe .....  | 3,000.00            |
| <b>Total .....</b>  | <b>\$ 66,600.00</b> |

(g) Tax Collector's Office:

|                        |                    |
|------------------------|--------------------|
| Tax Collector .....    | \$ 5,000.00        |
| Travel Allowance ..... | 900.00             |
| Clerk .....            | 2,400.00           |
| <b>Total .....</b>     | <b>\$ 8,300.00</b> |

(h) Treasurer's Office:

|                 |             |
|-----------------|-------------|
| Treasurer ..... | \$ 1,200.00 |
|-----------------|-------------|

*Provided*, this amount shall be varied if necessary, to provide a total salary to the Treasurer from state and County of \$5,000.00.

|   |              |
|---|--------------|
| Assistant to the Treasurer .....  | 2,520.00     |
| Extra Clerical Help on direct claim by extra clerk and approved by Treasurer .....  | 340.00       |
| Total .....   | \$ 4,060.00  |
| (i) Magistrates:  |              |
| Magistrate—Manning .....  | \$ 2,660.00  |
| Magistrate—Summerton .....  | 2,370.00     |
| Rent and Telephone .....  | 144.00       |
| Magistrate—Salem .....  | 1,975.00     |
| Rent and Telephone .....  | 144.00       |
| Magistrate—Paxville .....   | 1,395.00     |
| Rent and Telephone .....  | 144.00       |
| Magistrates' Jurors in criminal cases only \$2.00 per day and stenographer for trials to be expended on warrants of the magistrates .....   | 100.00       |
| (The above salaries in all of the above sections shall be in lieu of all fees and commissions provided for county officers, except those provided by law for Magistrates in civil cases.) |              |
| Total .....   | \$ 8,932.00  |
| (j) Courthouse:   |              |
| Public buildings, water, light, telephones including telephone in Supervisor's residence, also including insurance on courthouse and jail .....   | \$ 8,000.00  |
| Printing, postage and stationery .....  | 3,000.00     |
| Bond premiums .....   | 530.00       |
| Workmen's Compensation Insurance .....  | 1,000.00     |
| S. C. Retirement—County Officers .....  | 3,500.00     |
| S. C. Police Officers Retirement .....  | 1,900.00     |
| Social Security .....   | 3,800.00     |
| Jurors and Witnesses .....  | 4,000.00     |
| <i>Provided</i> , Jurors shall be paid \$6.00 per day.  |              |
| Janitor .....   | 1,440.00     |
| Courthouse, Jail, Hospital and Health Center grounds, \$100.00 each to be paid on itemized vouchers certifying expenditures as having been made .....                                     | 400.00       |
| Total .....   | \$ 27,570.00 |

## (k) County Health and Welfare Work:

|  |             |
|--|-------------|
| Health Department, if so much be necessary . . . | \$ 6,443.00 |
| Vital Statistics . . . . .                       | 350.00      |
| T. B. Association Emergency Services . . . . .   | 300.00      |
| Chest Clinic . . . . .                           | 720.00      |
| County Welfare Department:                       |             |
| Charity Hospitalization . . . . .                | 10,000.00   |
| Emergency Fund . . . . .                         | 1,000.00    |
| Travel, Child Welfare Worker . . . . .           | 780.00      |
| Charity Certification . . . . .                  | 1,020.00    |
| Drugs for T. B. Patients . . . . .               | 500.00      |

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Total . . . . . \$ 21,113.00

## (l) County Boards:

|   |           |
|---|-----------|
| Clarendon Memorial Hospital Board . . . . .                         | \$ 600.00 |
| County Commissioners, two . . . . .                                 | 720.00    |
| Board of Education (per diem) . . . . .                             | 720.00    |
| County Board of Education Fund . . . . .                            | 200.00    |
| Board of Assessors, nine . . . . .                                  | 1,800.00  |
| Board of County Welfare (per diem) \$10.00<br>per meeting . . . . . | 360.00    |
| County Attorney . . . . .   | 200.00    |

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Total . . . . . \$ 4,600.00

## (m) Farm and Home Demonstration Agent:

|  |           |
|--|-----------|
| Office Expense—County Agent . . . . .                              | \$ 200.00 |
| County Agent, Salary Supplement . . . . .                          | 1,300.00  |
| Associate County Agent—Salary Supplement . .                       | 500.00    |
| Assistant County Agent—Salary Supplement . .                       | 500.00    |
| Clerk, County Agent—Salary . . . . .                               | 660.00    |
| Home Demonstration Agent, Salary Supplement                        | 360.00    |
| Assistant Home Demonstration Agent, Salary<br>Supplement . . . . . | 360.00    |
| County Short Course, Home Demonstration . .                        | 50.00     |
| Clerk, Part-time, Home Demonstration . . . .                       | 600.00    |
| Demonstration Materials, Home Demonstration<br>Agent . . . . .     | 50.00     |
| Boys' 4-H Club Work . . . . .                                      | 200.00    |
| Girls' 4-H Club Work and Women's Work . . .                        | 150.00    |
| Negro Boys' 4-H Club Work . . . . .                                | 100.00    |

|   |                     |
|---|---------------------|
| Negro Girls' 4-H Club Work and Supplies . . . .   | 150.00              |
| Negro Home Demonstration Agent—Part Salary  | 1,328.00            |
| Office Expenses, Negro Agents . . . . .   | 25.00               |
| Clerical Help, Negro Agricultural and Negro<br>Home Agents . . . . .  | 600.00              |
| Negro Home Agent Demonstration Supplies . . .   | 25.00               |
| <b>Total</b> . . . . .  | <b>\$ 7,158.00</b>  |
| <b>(n) Miscellaneous:</b>   |                     |
| Miscellaneous Contingent Fund . . . . .   | \$ 3,500.00         |
| Manning Public Library, Countywide use . . . .  | 1,500.00            |
| National Guard Co., Maintenance Fund . . . . .  | 1,200.00            |
| Circuit Judge, office expense . . . . .   | 500.00              |
| Game Warden, Travel . . . . .   | 900.00              |
| Game Wardens, Travel, 4 @ \$360.00 each . . . .   | 1,440.00            |
| Patrolman, Telephone, \$6.00 per month each pa-<br>trolman residing in Clarendon County . . . . .                 | 442.00              |
| Soil Conservation . . . . .   | 1,000.00            |
| To be spent on projects recommended by Clarendon<br>Soil Conservation District and approved by<br>the Delegation. |                     |
| Forest Fire Warden . . . . .  | 1,500.00            |
| County Service Officer, salary . . . . .  | 321.00              |
| <b>Total</b> . . . . .  | <b>\$ 12,303.00</b> |
| <b>GRAND TOTAL</b> . . . . .  | <b>\$381,011.00</b> |
| <b>Less Estimated Revenue other than Property Taxes:</b>  |                     |
| Income Tax . . . . .  | \$ 40,000.00        |
| Gasoline Tax . . . . .  | 86,000.00           |
| Alcohol Liquor Tax . . . . .  | 26,000.00           |
| Beer and Wine Tax . . . . .   | 6,500.00            |
| Bank Tax . . . . .  | 1,500.00            |
| Insurance Licenses . . . . .  | 8,000.00            |
| Property and Road Tax . . . . .   | 233,000.00          |
| <b>Fines, Licenses and Fees:</b>  |                     |
| Auditor . . . . .   | 100.00              |
| Clerk of Court . . . . .  | 20,000.00           |
| Tax Collector . . . . .   | 8,000.00            |

|   |              |
|---|--------------|
| Sheriff .....                               | 1,000.00     |
| Magistrates .....                           | 36,500.00    |
| Miscellaneous .....                         | 10,000.00    |
| <hr/>                                       |              |
| Total .....                                 | \$476,600.00 |
| <hr/>                                       |              |
| Excess of Revenue over Appropriations ..... | \$ 95,589.00 |

**SECTION 2.** All moneys which may hereafter come into the hands of the treasurer whether the same be from the tax levied herein or from other sources shall be deposited in the general fund of the county for the payment of the sums appropriated herein; *provided*, that the tax levied in School District No. 3 for the retirement of debts or bonds shall be kept in a separate fund.

**SECTION 3.** Expenditures from Item (k), Charity Hospitalization Appropriations, shall be made by the county treasurer upon orders or warrants in such forms as may be prescribed by him issued and signed in behalf of the county board of public welfare, for charity hospitalization and contributions toward the funeral expenses of such needy residents of the county whose financial circumstances and the ability of whose relatives to pay the same have been fully investigated and determined by the board of public welfare.

**SECTION 4.** All appropriations herein made are subject to the right and authority of the Clarendon County Delegation to change, alter, increase or deduct therefrom at any time without notice, when in its judgment such change, alteration, increase or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. This act is intended and is construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1963, and ending June 30, 1964.

Balances from appropriations in former years, unexpended on August 1, 1963, shall terminate and end as of that date. The supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and books of account of all expenditures and contracts for expenditures in accordance with the classification and items as they appear in this act. The supervisor and treasurer are hereby authorized to borrow money in anticipation of collection of revenues to be ex-

pended under this act, not to exceed twenty thousand dollars for ordinary county purposes; and for any sum or sums so borrowed and interest thereon, not to exceed four per cent per annum, the officers shall issue the promissory note or notes of the county therefor and as a security for the payment thereof pledge the aforementioned revenues, and former years' (uncollected) property taxes and any and all other county revenues, and the full faith and credit of the county.

**SECTION 5.** The County Treasurer of Clarendon County, upon the unanimous written request of the school trustees of any school district in the county, endorsed by the superintendent of education of the county and approved by the Clarendon County Legislative Delegation, is hereby authorized and empowered, in anticipation of taxes for the year 1963-64 and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eighty per cent of the amount that will be raised by the tax levy for the year 1963-64 and the amount due on account of uncollected taxes, at a rate of interest not to exceed four per cent, and issue the promissory note or other obligation of the county therefor, and as security for the payment of the loan or loans to pledge the taxes to be collected for each school district for the year; *provided*, that the proceeds arising from the authority herein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts in the county until the schools can realize from the collection of taxes.

**SECTION 6.** Any note or obligation given for an amount exceeding the total authorization herein shall be null and void unless authorized in writing by the Clarendon County Legislative Delegation in the General Assembly. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being appropriated, without the written consent of the Clarendon County Legislative Delegation. Any violation of the provisions herein is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of the delegation. He shall be liable on his official bond for all such sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of the delegation as hereinabove provided.

**SECTION 7.** All purchases of property or supplies of any kind ordinarily purchased within the county, for the use of the county of the value of two hundred dollars or more, shall be made only after ten days' notice inviting bids, the notice being posted on the bulletin board in front of the courthouse door, and all bids received pursuant to such notice shall be considered and acted upon by the board of county commissioners in open meeting. All printing, postage and stationery shall be first approved by the county board of commissioners before purchases or obligations are made.

**SECTION 8.** The county treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the county supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the treasurer shall charge the expenditure upon his records.

**SECTION 9.** The county treasurer shall set up and keep sufficient books and records, in addition to such now kept or required by law, to fully comply with the foregoing section; and he shall refuse payment of any check or warrant in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month thereafter he shall prepare a statement of the total amount paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement he shall deliver or mail to the supervisor, each member of the county board of commissioners and to each member of the county legislative delegation, and such statement shall include a statement of the cash balance of ordinary county funds in hand and the amounts invested stated separately.

**SECTION 10.** In the event that any appropriation item is exhausted before the end of the fiscal year covered by this act, and in the opinion of the county board or county legislative delegation, additional funds are necessary for such purposes, the necessity and the grounds therefor may be presented to the county legislative delegation and the members thereof may authorize additional expenditures, and the written direction of said delegation will authorize the county treasurer to pay such excess amounts out of any available funds in his hand.

**SECTION 11.** Whenever it appears to the county board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the county records, it may refund the amount paid on account of such bids by approving a claim therefor against the county which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses, but nothing herein shall be construed as a warrant or representation by the county of the validity of any title acquired at tax sale now or hereafter.

**SECTION 12.** An audit of the office and records or any part thereof of the county may be had at any time in the fiscal year 1963-64 by the county legislative delegation and the expenses therefor paid on their written order to the supervisor and treasurer from any available funds in the hands of the latter.

**SECTION 13.** The auditor and treasurer of the county shall complete the necessary work in their respective offices in order to open the treasurer's books for the collection of the 1963 state and county taxes on September 1, 1963, and the collection of the taxes shall begin on that date.

**SECTION 14.** No person, firm or corporation (except recipients from charity appropriation and except witnesses and jurors paid by the county) shall be paid any monies herein appropriated unless he or it shall first pay in full any and all outstanding tax executions against him or it or his or its property; *provided*, that such tax execution may be in monthly installments satisfactory to the tax collector. The board of county commissioners shall be responsible upon their respective official bonds for any violation hereof as for any other failure in the performance of their duties.

**SECTION 15.** The Towns of Manning, Summerton, Turbeville and Paxville may use the county jail for the confinement of their prisoners but shall be required to pay to the county the sum of one dollar per prisoner per day, which sum shall be remitted to the county board of commissioners monthly by the Towns of Manning, Summerton, Turbeville and Paxville, together with the statement of the jailor of the names of the prisoners and the days each was confined.

**SECTION 16.** The county board of education shall appoint a qualified auditor annually for each of the school districts in Clarendon

County, which audit shall be filed with the clerk of court. The trustees of each district shall make an agreement with the auditor so appointed as to the cost prior to commencement of the work and should they fail to agree then the county shall fix his compensation and in this event the county delegation may provide by written order for the payment of the same.

**SECTION 17.** All appropriations herein for the operation of the public school system shall cease and become inoperative for the time that any pupil or pupils shall by order of any court attend a school other than that which he or she is now attending or may be assigned by local board of trustees or other governing body of such school. This provision shall not in any way affect the operation of any school other than the schools affected by such court order.

**SECTION 18.** The forest fire warden provided herein shall be appointed by the Governor upon the written recommendation of a majority of the Clarendon County Forestry Board and approved by the Delegation, and shall discharge such duties as said board shall impose upon him from October fifteenth each year to the following March fifteenth. The appointment hereunder shall be for a term of two years. The forest fire warden provided for herein may be removed by the Governor upon the request of a majority of the Clarendon County Forestry Board and concurrence of the Delegation to that effect. The forest fire warden shall have the same power as the deputy sheriffs.

## Part II

### PERMANENT PROVISIONS

**SECTION 1.** The local board of trustees of each school district in Clarendon County is hereby authorized and empowered, upon such terms as the board may prescribe, to make a grant out of any moneys in the treasury of that school district to any child of school age whose parents or the person in loco parentis is a resident of the area composing the school district.

*Provided:*

1. The child would otherwise be entitled to attend the public school of the district.
2. The moneys shall be for reimbursing the applicant for tuition actually paid for the child's attendance in a qualified school

- in South Carolina and shall not be paid more often than twice each year.
3. The grant shall not exceed the actual cost to the district of the education of a pupil in the public schools of the district nor the tuition of the school which said child has attended.

## END OF PART II

This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R109, S126)

### No. 489

**An Act To Authorize The County Board Of Education Of Colleton County To Borrow Not Exceeding Two Hundred Thousand Dollars For The Purpose Of Improving The Physical Education Facilities At Walterboro High School, And To Provide For The Payment Of The Loan.**

Whereas, the accreditation of Walterboro High School is threatened because of inadequate physical education facilities; and

Whereas, it is the desire of the Colleton County Legislative Delegation that no additional tax shall be levied for the payment of the money borrowed by authority of this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Colleton County Board of Education may borrow money.**—The Colleton County Board of Education is authorized to borrow not exceeding two hundred thousand dollars for the purpose of improving the physical education facilities at the Walterboro High School, and for that purpose is authorized to issue and sell negotiable note or notes at either public or private sale. The note or notes shall be executed on behalf of the Colleton County Board of Education by the chairman of the board and by the Treasurer of Colleton County. The note or notes shall bear interest at a rate not exceeding four per cent from the date thereof, such interest to be paid annually, and the note or note shall provide that it or they may be anticipated in whole or in part on any anniversary date thereof. The note or notes shall be sold for not less than par and accrued

interest, and final maturity date thereof shall not be longer than six years from the date thereof.

Any funds received by the Board of Education from the State Educational Finance Commission after the effective date of this act shall be used for the retirement of the note or notes, unless such funds shall be directed by the Colleton County Legislative Delegation to be used for other school purposes.

**SECTION 2. Payment.**—For the payment of the principal and interest of the note, the full faith, credit and taxing power of the School District of Colleton County is irrevocably pledged.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R253, H1507)

**No. 490**

**An Act To Authorize The Colleton County Library Commission And The Treasurer Of The County To Borrow Nine Thousand Dollars To Purchase A Bookmobile And To Provide For Repayment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Colleton County Library may borrow money.**—The Chairman of the Colleton County Library Commission and the Treasurer of Colleton County are authorized to borrow not exceeding nine thousand dollars to purchase a bookmobile. The amount borrowed shall be evidenced by a note to be executed by the chairman of the commission and the treasurer of the county. The note shall bear interest at a rate not exceeding four per cent per annum from the date thereof and shall be payable in five successive equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—There shall be carried annually in the County Appropriations Act a sum sufficient to pay each instalment together with interest thereon, or the auditor shall levy and the treas-

urer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should the money be borrowed from the Division of Sinking Funds and Property, and should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

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(R386, S379)

**No. 491**

**An Act To Authorize Colleton County To Borrow Not To Exceed The Sum Of Thirty-Five Thousand Dollars For County Purposes And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Colleton County may borrow money.**—The Treasurer and the Supervisor of Colleton County are hereby authorized to borrow not to exceed the sum of thirty-five thousand dollars at an interest rate not to exceed four per cent. The sum borrowed shall be placed by the treasurer of the county in a special reserve fund for emergency county purposes. The loan shall be secured by notes signed by the treasurer and the supervisor.

**SECTION 2. Payment.**—In order to provide for the payment of the loan and interest thereon the auditor of the county is authorized to levy and the treasurer to collect an annual tax upon all of the taxable property of the county sufficient to retire the loan plus interest within a period of seven years. The entire proceeds of this levy shall be

paid annually to the party from whom the money is borrowed and shall be applied on the principal and interest of the notes given to secure the loan until the debt with interest is paid in full. The full faith, credit and taxing power of Colleton County are irrevocably pledged to the payment of the loan.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R649, H1863)

**No. 492**

**An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1963, And The Expenditure Thereof During The Fiscal Year July 1, 1963 To June 30, 1964, And Pertaining To The Fiscal Affairs Of The County; And To Amend Section 21-2178 Of The 1962 Code, Relating To The Colleton County Schools, So As To Further Provide For The Issuance Of Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax sufficient to pay appropriations hereinafter made for the fiscal year 1963-1964 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1963, for the amounts and purposes hereinafter set forth.

|  |                     |
|--|---------------------|
| Item 1. (a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery, and including salary increases for road employees ..... | \$ 76,175.00        |
| (b) Purchase new machinery .....   | 3,500.00            |
| (c) Repairs and maintenance on public landings ...   | 1,250.00            |
| <b>Total, Item 1 .....</b>   | <b>\$ 80,925.00</b> |
| Item 2. Salaries, mileage and expenses :   |                     |
| (a) Clerk of Court .....   | \$ 5,200.00         |
| Deputy Clerk of Court .....  | 3,000.00            |
| Clerical Assistance .....  | 2,700.00            |

|  |           |
|--|-----------|
| Payments on duplicating machine .....  | 426.00    |
| Judgment Roll Boxes .....  | 204.00    |
|  | <hr/>     |
|  | 11,530.00 |
| (b) Sheriff .....  | 5,500.00  |
| Deputies, three at \$3,900.00 each .....   | 11,700.00 |
| Clerk to Sheriff or additional Deputy .....  | 2,700.00  |
| Purchase of four automobiles .....   | 7,500.00  |
| The automobiles shall be used only on official county business and a daily record shall be filed monthly with the county supervisor on forms provided by the supervisor. |           |
| Gasoline, Oil and Maintenance .....  | 4,200.00  |
| Maintenance of said automobiles shall be under the direction of the county supervisor.   |           |
| Teletype paper for teletypewriter .....  | 100.00    |
| Radio Maintenance and Service at Jail .....  | 400.00    |
| Care and Maintenance Bloodhounds .....   | 200.00    |
| Maintenance and Operation County Boat ....   | 350.00    |
|  | <hr/>     |
|  | 32,650.00 |
| (c) Treasurer (County's portion) .....   | 3,146.25  |
| Clerk to Treasurer .....   | 2,700.00  |
| For metered postage, materials and expenses of Treasurer in sending notices to taxpayers ....  |           |
|  | 800.00    |
| Extra Clerical Help for Treasurer .....  | 1,350.00  |
| Purchase of Adding Machine .....   | 330.00    |
|  | <hr/>     |
|  | 8,326.25  |
| (d) Auditor, salary and travel (County's portion)  | 3,146.25  |
| Deputy Auditor .....   | 5,000.00  |
| Clerk to Auditor .....   | 2,700.00  |
| Extra Clerical Help to Auditor .....   | 1,350.00  |
| Travel by Deputy Auditor .....   | 1,200.00  |
|  | <hr/>     |
|  | 13,396.25 |
| (e) Delinquent Tax Collector, salary .....   | 2,600.00  |
| Delinquent Tax Collector, travel .....   | 1,800.00  |
| Clerk to Delinquent Tax Collector .....  | 2,250.00  |
|  | <hr/>     |
|  | 6,650.00  |

*Provided*, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.

|  |           |
|--|-----------|
| (f) Coroner .....  | 1,391.20  |
| Travel .....   | 600.00    |
|  | <hr/>     |
|  | 1,991.20  |
| (g) Supervisor .....   | 5,200.00  |
| Expenses of Supervisor for travel .....  | 1,200.00  |
| Contingent Fund .....  | 2,000.00  |
| Two County Commissioners at \$61.60 per month each .....   | 1,478.40  |
| Travel for two County Commissioners .....  | 300.00    |
| For Clerk to Supervisor .....  | 2,700.00  |
| Extra Clerk, as needed, on a per diem basis but not to exceed .....  | 1,800.00  |
|  | <hr/>     |
|  | 14,678.40 |
| (h) Attorney for County .....  | 900.00    |
|  | <hr/>     |
|  | 900.00    |
| (i) Judge of Probate .....   | 3,900.00  |
| Deputy Judge of Probate or Clerk .....   | 3,000.00  |
| For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims ..... | 300.00    |
| Purchase Guardianship Letters, Bond, and Return Book .....   | 300.00    |
|  | <hr/>     |
|  | 7,500.00  |
| (j) Expert to Grand Jury .....   | 100.00    |
|  | <hr/>     |
|  | 100.00    |
| (k) Magistrates, seven at \$456.00 each .....  | 3,192.00  |
| Expense accounts to be paid in 4 equal quarterly installments, seven at \$144.00 each .....  | 1,008.00  |
| One at Walterboro .....  | 2,422.00  |

|  |              |
|--|--------------|
| One at Green Pond .....  | 900.00       |
| Expense account to be paid in 4 equal quarterly installments of \$36.00 .....  | 144.00       |
|  | <hr/>        |
|  | 7,666.00     |
| (1) Constables, five at \$379.00 .....   | 1,895.00     |
| One at Walterboro .....  | 1,200.00     |
| Extra Clerical Help and Mileage .....  | 1,200.00     |
| One at Warren Township .....   | 625.00       |
| One at Canadys .....   | 515.00       |
| One at Sheridan and Glover Townships .....   | 515.00       |
| Expenses for Constables for conveying prisoners by the most practicable routes of travel at the rate of seven cents per mile each way, and no constructive mileage to be charged .....   | 375.00       |
|  | <hr/>        |
|  | 6,325.00     |
| <i>Provided</i> , that constables shall receive for service of civil process from the party instituting an action mileage charges at the rate of seven cents per mile which charges shall be retained by said constable and shall be collected by constable prior to service of process. <i>Provided</i> , further, that in no event shall the mileage charges be less than twenty-five cents. |              |
| (m) County Boards:   |              |
| Board of Equalization, to be expended on vouchers of County Auditor .....  | 828.00       |
| Board of Tax Appeals .....   | 500.00       |
| Board of Registration .....  | 1,366.00     |
| Development Board .....  | 7,500.00     |
|  | <hr/>        |
|  | 10,194.00    |
| (n) Janitors (4) for all public buildings including library, to be employed, work assigned and salaries fixed by county supervisor .....   | 5,100.00     |
|  | <hr/>        |
|  | 5,100.00     |
|  | <hr/>        |
| Total, Item 2 .....  | \$127,007.10 |

|         |  |             |
|---------|--|-------------|
| Item 3. | Jail Expenses, including dieting of prisoners, fuel, etc. ....   | \$ 8,100.00 |
|         | Jailer, extra compensation to be paid in monthly installments, see mandatory proviso below ....  | 759.00      |
|         | <i>Provided</i> , the jailer may make contracts with municipalities in Colleton County to diet prisoners. <i>Provided</i> , further, that municipalities making such contracts must pay 25¢ per day per prisoner to the County Supervisor for County General Fund purposes for jail building maintenance, said sums to be accounted quarterly. |             |
|         | Mattresses and Blankets for Jail .....   | 265.00      |
|         | Total, Item 3 .....  | \$ 9,124.00 |
| Item 4. | Court Expenses, Jurors and Witnesses .....   | \$ 5,000.00 |
|         | Civil and Criminal Court, Judge's Salary .....   | 3,600.00    |
|         | Court Reporter, upon Court Order .....   | 600.00      |
|         | <i>Provided</i> , Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law.  |             |
|         | Total, Item 4 .....  | \$ 9,200.00 |
| Item 5. | Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare .....  | \$ 3,000.00 |
|         | To be paid by Supervisor as needed by proper voucher of Department of Public Welfare.  |             |
|         | Telephone, Department of Public Welfare ....   | 95.00       |
|         | <i>Provided</i> , not exceeding fifty dollars shall be paid for each pauper funeral.   |             |
|         | Total, Item 5 .....  | \$ 3,095.00 |
| Item 6. | Post Mortems, Inquests and Lunacies .....  | \$ 1,100.00 |
|         | Total, Item 6 .....  | \$ 1,100.00 |

|  |              |
|--|--------------|
| Item 7. Bond Premiums for public officials .....   | \$ 1,500.00  |
| Total, Item 7 .....  | \$ 1,500.00  |
| Item 8. Public Buildings, including water, fuel, lights<br>and insurance .....   | \$ 9,000.00  |
| For caretaker for Courthouse and Jail grounds .....  | 132.00       |
| <i>Provided</i> , the Supervisor shall furnish fertilizer<br>and labor for maintaining shrubbery and flowers.<br><i>Provided</i> , further, that the Supervisor may use<br>the rents to be collected for the use of public<br>buildings to supplement the funds herein appro-<br>priated for public buildings. |              |
| Maintenance Man .....  | 2,700.00     |
| Total, Item 8 .....  | \$ 11,832.00 |
| Item 9. (a) Printing, postage, books, stationery, includ-<br>ing Magistrates' blanks .....   | \$ 8,200.00  |
| (b) Publication of Supervisor's Reports .....  | 550.00       |
| (c) For publishing notices of tax sales, if so much<br>be necessary .....  | 400.00       |
| <i>Provided</i> , the Delinquent Tax Collector shall<br>add to the cost of each tax sale the cost of publi-<br>cation and collect the same from each tax sale<br>for the General Fund of the County.   |              |
| Total, Item 9 .....  | \$ 9,150.00  |
| Item 10. Health:   |              |
| (a) County Health Department (including rabies<br>control \$500.00), but not including Health Of-<br>ficer's salary .....  | \$ 16,086.00 |
| <i>Provided</i> , the above amount shall be expended<br>under a budget prepared by the Health Depart-<br>ment and approved by the delegation, and shall<br>be paid in twelve equal monthly installments<br>upon voucher of County Health Department.   |              |
| (b) Colleton T. B. Association, upon voucher signed<br>by president and executive secretary of the asso-<br>ciation for T. B. Patients .....   | 500.00       |
| Total, Item 10 .....   | \$ 16,586.00 |

## Item 11. Club Work and Demonstration Expenses:

|   |           |
|---|-----------|
| (a) Boys' 4-H Club activities, including camp and supplies for county agent's office .....  | \$ 400.00 |
| (b) Women's and girls' short courses, Winthrop trip and prizes for women .....  | 300.00    |
| (c) Miscellaneous for Home Demonstration Agent's office .....   | 150.00    |
| (d) Supplement, Farm Agent's salary .....   | 528.00    |
| (e) Supplement, Associate Farm Agent's salary ..  | 300.00    |
| (f) Supplement, Farm Agent's Stenographer, salary   | 396.00    |
| (g) Supplement, Home Agent's Stenographer, salary   | 198.00    |
| (h) Future Farmers of America .....   | 50.00     |
| (i) For prizes, Livestock Show at Walterboro, to be expended by Colleton County FFA Federation .....  | 500.00    |
| (j) 4-H Livestock Show .....  | 250.00    |
| (k) For Negro Farm and Home Demonstration Work and for 4-H activities, to be expended under direction of County Agent, including Livestock Show ..... | 2,842.00  |
| (l) Telephone and extension—Home Agent's office   | 111.14    |
| (m) Telephone—Negro Agent's office .....  | 129.84    |

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Total, Item 11 .....\$ 6,154.98

## Item 12. Workmen's Compensation, Retirement and Social Security:

|   |             |
|---|-------------|
| (a) Workmen's Compensation Insurance .....                        | \$ 3,600.00 |
| (b) Employer's portion, Retirement of county employees .....      | 6,700.00    |
| (c) Employer's portion, Social Security on county employees ..... | 6,300.00    |

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Total, Item 12 .....\$ 16,600.00

## Item 13. Tax Refunds:

|                          |         |
|--------------------------|---------|
| W. D. Lyons .....        | \$ 7.92 |
| Cleveland Bouges .....   | 9.00    |
| Fred Brown .....         | 7.84    |
| Bennie Holmes .....      | 2.00    |
| Robert W. Murdaugh ..... | 4.00    |

|  |                   |
|--|-------------------|
| Clyde B. Spell .....   | 16.56             |
| Asten-Hill Mfg. Co. ....   | 734.40            |
| Arthur Pinckney .....  | 4.68              |
| G. E. Coker .....  | 21.00             |
| Roy C. Thomas .....  | 3.00              |
| O. H. W. Fraser .....  | 20.26             |
| Bissell L. Ramsey .....  | 3.21              |
| John F. Brabham .....  | 7.68              |
| Total, Item 13 .....   | \$ 841.55         |
| Item 14. Colleton County Memorial Library:   |                   |
| Chief Librarian Certified, County Portion ....   | \$ 2,500.00       |
| Four Assistant Librarians .....  | 8,760.00          |
| Junior Intern .....  | 200.00            |
| Bookmobile Expenses .....  | 1,000.00          |
| Books .....  | 4,000.00          |
| Supplies .....   | 500.00            |
| Conference and Workshop Expenses .....   | 200.00            |
|  | 17,160.00         |
| Less Expected Revenue:   |                   |
| Town of Walterboro .....   | \$ 900.00         |
| State of South Carolina .....  | 1,500.00 2,400.00 |
| Total, Item 14 .....   | \$ 14,760.00      |
| Item 15. Miscellaneous:  |                   |
| (a) County Civil Defense to be expended upon<br>voucher of Chairman Colleton County Civil<br>Defense ..... | \$ 300.00         |
| (b) Annual Audit .....   | 1,500.00          |
| (c) Company Maintenance Fund, National Guard<br>Unit .....   | 750.00            |
| (d) Supplemental Salary, Director of Public Welfare  | 396.00            |
| (e) Historical Society .....   | 250.00            |
| (f) Colleton Soil Conservation District—Special<br>Services .....  | 1,000.00          |
| (g) Gas Tank and Pump at Maintenance Shop ...  | 500.00            |
| Total, Item 15 .....   | \$ 4,696.00       |

## Item 16. Schools:

|   |              |
|---|--------------|
| County's portion of support of public schools . .             | \$486,232.00 |
| Less Estimated State, Federal and miscellaneous aid . . . . . | 142,192.50   |
| Less Additional State Aid . . . . .                           | 85,000.00    |

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|   |              |
|---|--------------|
| Net appropriations to be raised by property tax for schools . . . . . | \$259,039.50 |
|---|--------------|

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GRAND TOTAL . . . . . \$571,611.13

Less Estimated Revenue, other than from property taxes:

|  |              |
|--|--------------|
| Gasoline Tax . . . . .   | \$120,000.00 |
| Commutation Road Tax . . . . .   | 5,000.00     |
| Fines, Licenses, Fees . . . . .  | 43,500.00    |
| State Insurance Tax . . . . .  | 13,000.00    |
| Receipts from Beer, Wine and Alcoholic Beverages . . . . .                                     | 30,000.00    |
| Bank Tax . . . . .   | 2,800.00     |
| Portion of Income Tax from State 1963-64 and unallocated portion for fiscal year 1962-1963 . . | 25,000.00    |
| Estimated transfer of Delinquent Taxes per Section 3, paragraph 2 . . . . .                    | 20,000.00    |

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Total Estimated Revenue . . . . . \$259,300.00

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Amount to be raised by property taxation for general purposes and schools . . . . . \$312,311.13

**SECTION 2.** The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes for the year 1963 and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

**SECTION 3.** The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and for debt service and shall use same in preparing the tax books for Colleton County.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended insofar as they relate to the funds to be derived from the collection of delinquent taxes for the tax year of 1962, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1962 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1962, and hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

**SECTION 4.** If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

**SECTION 5.** All funds received by the county from whatever source realized above the amount necessary to pay the appropriations hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law.

**SECTION 6.** The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

**SECTION 7.** The county superintendent of education shall, no later than the first day of August of each year, furnish to the county

treasurer and to members of the county legislative delegation an itemized statement of receipts and disbursements, including salaries and all purchases, made by the county department of education, including the two areas of administration, for the previous fiscal year; and he also, on or before the first day of February of each year, shall furnish to said parties a like statement for the first six months of the then current fiscal year.

**SECTION 8.** The county treasurer shall retain to the credit of the general funds all fine monies received, except the amount necessary to pay the counties (employers) portion for the county sheriff and deputies to be members of the South Carolina Police Officers retirement system.

**SECTION 9.** The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care.

## PART II

### PERMANENT PROVISIONS

**SECTION 1.** It is hereby declared to be the intent of the General Assembly that the following section shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

**SECTION 2.** Section 21-2178 of the 1962 Code is amended by adding a new subsection to read as follows:

“(9) No such bonds may be issued except upon appropriate act of the General Assembly authorizing each specific issue.”

### END OF PART II

This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

(R62, H1171)

**No. 493****An Act Extending The Season For Hunting Quail and Rabbits In Darlington County For The Year 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail and rabbit season for Darlington County.**—Notwithstanding the provisions of Section 28-336 of the 1962 Code, the season for hunting quail and rabbits in Darlington County is extended to March second, inclusive, for the year 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R83, H1243)

**No. 494****An Act Extending The Open Season For The Hunting Of Quail In Darlington County For The Year 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail season for Darlington County.**—The open season for the hunting of quail in Darlington County is extended to March 1, 1963.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

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(R300, S318)

**No. 495**

**An Act To Create The County Courthouse Commission Of Darlington County; To Prescribe Its Powers And Duties; To Authorize It To Issue Not Exceeding Six Hundred Ten Thousand Dollars Of General Obligation Bonds Of Darlington County; To Provide Funds For The Construction Of A New County Courthouse; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Pro-**

**ceeds May Be Expended; And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the County Board of Commissioners of Darlington County and the Darlington County Legislative Delegation have made plans for the construction and equipping of a new county courthouse and have secured an offer of financial assistance from the Federal Government, which contemplates the construction and equipping of a new courthouse at an approximate cost of one million two hundred fifty thousand dollars, making it necessary that Darlington County raise not exceeding six hundred ten thousand dollars.

The General Assembly has determined to authorize the County Courthouse Commission, hereinafter created, to issue bonds without first submitting the question of the issuance to the qualified electors of Darlington County and is enacting this act in order to provide a vehicle for the issuance of bonds of Darlington County within the limitations herein set forth.

The General Assembly takes further note of the fact that by reason of the requirements of the federal agency disbursing the federal grant, Darlington County may be required to effect temporary loans pending the sale and delivery of the bonds authorized by this act, and that in such event the proceeds of the bonds authorized herein should be used, to the extent necessary, to pay and retire any such temporary loans.

**SECTION 2. Darlington County Courthouse Commission created.**—There is hereby created a commission to be known as the "Darlington County Courthouse Commission," which shall be composed of six members, the County Clerk of Court and the County Treasurer, who shall be members ex-officio of said Commission; and four others who shall be qualified electors from Darlington County, and who shall be appointed by the Governor for terms of three years, upon the recommendation of a majority of the county legislative delegation, including the Senator. If any vacancy shall arise, a successor shall be appointed in the same manner as the original appointment was made. As soon as the appointments have been made, the County Courthouse Commission shall organize by electing one of its members as chairman, another as vice-chairman, and a third as secretary. The County Courthouse Commission shall decide the

time, place and frequency of its meetings, and four members shall constitute a quorum for the transactions of official business. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Darlington County in order to reflect the membership of the County Courthouse Commission and those who shall become its officers.

**SECTION 3. Powers and duties.**—The County Courthouse Commission is authorized and empowered to regulate, control and provide for the construction and equipping of a new county courthouse and to that end, shall have the following powers:

- (1) To adopt and use a corporate seal;
- (2) To accept any and all grants from the federal government, or otherwise, to be used in the construction of a county courthouse;
- (3) To select a suitable site for a new county courthouse;
- (4) Issue bonds as hereinafter provided for;
- (5) To make contracts and to execute all instruments necessary for carrying out the functions committed to it; and
- (6) To do all other acts usually required in such an undertaking.

**SECTION 4. Bond issue authorized.**—In order to provide funds to the extent of not exceeding six hundred ten thousand dollars, or such lesser amount as shall be permitted by the constitutional limitations controlling the bonded debt of Darlington County, the County Courthouse Commission is hereby authorized to issue general obligation bonds of Darlington County in an amount not exceeding six hundred ten thousand dollars, whose proceeds shall be used to provide the funds necessary for the construction and equipping of a new county courthouse for Darlington County, and to pay and retire the principal and interest of any temporary debt of Darlington County incurred for that purpose.

**SECTION 5. Denominations—maturity.**—All bonds issued pursuant to this act shall be in such denominations and shall mature in such annual series or installments as the County Courthouse Commission shall provide for, except that the first maturing bonds shall mature not later than five years from the date as of which they shall be issued, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

**SECTION 6. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated

maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the County Courthouse Commission, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 7. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Darlington County, upon such conditions as the County Courthouse Commission may prescribe. Except when so registered, all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 8. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the County Courthouse Commission shall prescribe.

**SECTION 9. Interest.**—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by the County Courthouse Commission.

**SECTION 10. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Courthouse Commission shall, by resolution provide.

**SECTION 11. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 12. Payment.**—For the payment of the principal and interest of the bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Darlington County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Darlington County, and collected by the Treasurer of Darlington County, in the same manner as county taxes are levied and collected, a tax without limit, on all the taxable property in the county, sufficient to pay the principal of and interest on the bonds

as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 13. Exempt from taxes.**—The principal and interest of the bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 14. Proceeds.**—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Darlington County, to be deposited in a bond account fund for the County Courthouse Commission, and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds;

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of the bonds;

(c) The remaining proceeds shall be used, upon the warrant or order of the County Courthouse Commission, to defray the costs of issuing the bonds authorized hereby, to pay and retire the principal and interest of borrowings made in anticipation of the issuance of the bonds, and to pay costs to be incurred in the acquiring of a site and constructing and equipping thereon a new county courthouse for Darlington County;

(d) If any balance remains, it shall be held by the Treasurer of Darlington County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 15. Adoption of resolution to issue bonds.**—The powers and authorizations hereby conferred upon the County Courthouse Commission may be exercised by the adoption of a resolution, to take effect immediately, at any regular or special meeting of the County Courthouse Commission. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R614, H1469)

**No. 496**

**An Act To appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1963-64; To Provide For The Expenditure Of The Sum And Other Funds; To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein; And To Require The Submission Of A Budget By The Board Of Trustees Of Darlington County School District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The sum of twenty-eight thousand eight dollars and fifty cents is hereby appropriated from the general fund of Darlington County for educational purposes for the county fiscal year 1963-64. The sum shall be expended for the following purposes :

|   |              |
|---|--------------|
| Item 1. Travel Expenses, County Superintendent of Education .....   | \$ 700.00    |
| Item 2. Bookkeeper & Secretary .....  | 3,300.00     |
| Item 3. Stenographer .....  | 3,150.00     |
| Item 4. Stenographer .....  | 3,000.00     |
| Item 5. Office Supplies, Equipment and Telephones ....  | 3,000.00     |
| Item 6. Travel for Visiting Teacher .....   | 700.00       |
| Item 7. Salary, Superintendent of Education .....   | 5,488.50     |
| Item 8. Board of Education, 7 members @ \$25.00 each per month .....  | 2,100.00     |
| Item 9. Board of Trustees, 9 members @ \$180.00 per year and 1 Secretary \$250.00 per year. Stamps, etc. \$100.00 ..... | 1,970.00     |
| Item 10. School Lunch Office—Trucking Produce .....   | 1,200.00     |
| School Lunch Secretary .....  | 400.00       |
| Item 11. Audit .....  | 3,000.00     |
| Total .....   | \$ 28,008.50 |

The auditor shall levy, and the treasurer shall collect, a tax on all taxable property of the county sufficient to pay the appropriation provided for herein.

**SECTION 2.** The Board of Trustees of Darlington County School District shall, before July of 1963, file with the county board of edu-

cation a proposed budget for each school in the county for the 1963-64 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board of education shall examine all budgets and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1.

**SECTION 3.** This act is supplementary to the general appropriations act of Darlington County which will be in effect for the 1963-64 fiscal year and the permanent school levies for Darlington County, and shall in no respect be considered as a repeal of them or any part thereof.

**SECTION 4.** The funds herein appropriated shall be expended by the county treasurer in the usual way, but upon request of the superintendent of education, or the chairman of the county board of education.

**SECTION 5.** The county board of education may supplement salaries or expenses of the superintendent or other office employees out of any funds in their hands that can legally be expended for such purposes.

**SECTION 6.** This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R68, H1049)

### No. 497

#### **An Act To Make Supplemental Appropriations For The Fiscal Year 1962-63 From The General Fund Of Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations for the period January 1, 1963 through June 30, 1963, are made from the general fund of Dillon County :

|   |             |
|---|-------------|
| Appraiser, \$25.00 per day if performed ..... | \$ 3,000.00 |
| Appraiser, \$25.00 per day if performed ..... | 3,000.00    |
| Appraiser, \$25.00 per day if performed ..... | 3,000.00    |
| Assessor, Salary .....                        | 3,300.00    |

|  |           |
|--|-----------|
| Assistant Assessor, Salary .....   | 2,500.00  |
| Assistant Appraiser, Salary .....  | 1,800.00  |
| Chief Clerk, Salary .....  | 1,350.00  |
| Assistant Clerk, Salary .....  | 1,250.00  |
| Assistant Clerk, Salary .....  | 1,250.00  |
| Field assistants, 12 @ \$10.00 per day, if performed                     | 15,000.00 |
| Mileage for field assistants, if performed .....                         | 5,000.00  |
| Approximate mileage for appraisers, if performed                         | 3,000.00  |
| Map drawing by A. S. C. personnel .....                                  | 832.50    |
| Drawing of town maps and other assistance by<br>Martin Craig Moody ..... | 1,500.00  |
| Office Supplies .....  | 4,500.00  |
| Miscellaneous .....  | 1,300.00  |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R76, S36)

#### No. 498

**An Act To Authorize And Empower The County Board Of Commissioners Of Dillon County To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Dillon County, To Prescribe The Purposes For Which The Bonds Shall Be Issued, And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Dillon County may issue bonds.**—The County Board of Commissioners of Dillon County is authorized to issue and sell general obligation bonds of Dillon County in an amount not to exceed five hundred thousand dollars to defray the cost of constructing and improving roads in the county.

**SECTION 2. Issue.**—The bonds shall be issued either as a single issue, or from time to time in several separate issues.

**SECTION 3. Maturity.**—The bonds issued pursuant to this act shall mature in such annual series or installments as the Board shall provide for, except that the first maturing bonds of any issue shall ma-

ture not more than two years from the date issued, and no bond shall mature later than twenty years from the date of the issuance of the original issue of bonds.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the County Treasurer, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Dillon County shall be irrevocably pledged, and there shall be levied annually by the Au-

ditor of Dillon County, and collected by the Treasurer of Dillon County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Dillon County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that on and after July 1, 1963, the proceeds of the gasoline tax accruing to Dillon County pursuant to the provisions of Section 65-1074 of the 1962 Code are hereby pledged for the payment of principal and interest on bonds issued under the provisions of this act and the ad valorem tax shall be reduced to the extent of the moneys so received by Dillon County.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dillon County, and shall be deposited in a bond account fund and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be first applied to defray the cost of issuing the bonds authorized hereby and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on construction, up to the standards required for State secondary highways, of county roads in Dillon County.

**SECTION 13. Roads to be added to highway system.**—Upon completion of these roads, they shall be added to the State secondary highway system.

**SECTION 14. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Board shall be in addition to all other powers and authorizations previously vested in the County Board.

**SECTION 15. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

(R201, H1424)

**No. 499****An Act To Make Supplemental Appropriations For Dillon County For The Fiscal Year 1962-1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations for the fiscal year 1962-1963 are made from the general fund of Dillon County :

|  |           |
|--|-----------|
| Dieting of Prisoners .....   | \$ 250.00 |
| Dillon Woodworks .....   | 5,627.41  |
| John Hatchell Co., Water Cooler .....  | 390.36    |
| Gas, Sheriff's Department .....  | 736.91    |
| Uniforms, Sheriff's Department (To date) .....   | 3,045.52  |
| A. A. Holland, Salary .....  | 100.00    |
| Miscellaneous Travel, Sheriff's Department .....   | 374.00    |
| Hoyt Jackson, Quincey Bullock Reward .....   | 500.00    |
| F. B. David, Audit of County Books .....   | 1,800.00  |
| W. E. Allen, Air Conditioning Unit .....   | 174.00    |
| Lake View Furniture Company (Furniture, Judge's Chamber) .....                               | 103.00    |
| Emergency Food Program .....   | 906.84    |
| Evelyn Bryant (1 month's Salary) .....   | 225.00    |
| Cars, Sheriff's Department (including interest, spot-lights, radio change-overs, etc.) ..... | 16,080.89 |
| Lake View Rescue Squad .....   | 500.00    |
| Latta Industrial Corp. ....  | 6,250.00  |
| Emergency Casket .....   | 1,500.00  |
| Printing, Postage, etc. ....   | 1,000.00  |
| Public Buildings .....   | 5,000.00  |
| Retirement .....   | 1,500.00  |
| Social Security .....  | 3,000.00  |
| 1 Commissioner's Salary (6 months at \$50.00) ....   | 300.00    |
| Frank Lee, Magistrate (6 months salary at \$50.00 ..   | 300.00    |
| Rural Fire Department .....  | 584.15    |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1963.

(R490, H1815)

## No. 500

**An Act To Authorize The Board Of Trustees Of School District No. 1, Dillon County, And The Treasurer Of The County To Borrow Not Exceeding Seventy-Five Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Dillon County School District 1 may borrow money.**—The Board of Trustees of School District No. 1 in Dillon County and the Treasurer of Dillon County are authorized to borrow for school purposes not exceeding seventy-five thousand dollars from any bank in Dillon County. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the Board of Trustees and the Treasurer of Dillon County. The note or notes shall bear interest at a rate not exceeding two and three-fourths per cent per annum from the date thereof and shall be payable in one installment within twelve months.

**SECTION 2. Payment.**—For the payment of the note or notes, the Auditor of Dillon County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated. *Provided*, that the auditor shall first apply those monies on hand and not pledged to payment of the loan.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

(R552, H1303)

## No. 501

**An Act To Authorize The Board Of Education Of Dillon County To Issue General Obligation Bonds To The County In An**

**Amount Not To Exceed Five Hundred Forty Thousand Dollars; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended; And To Make Provisions For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Board of Education of Dillon County may issue bonds.**—For the purpose of obtaining the necessary funds to satisfy the indebtedness of School Districts Nos. 1, 2 and 3 of Dillon County and to provide additional supplement for teachers' salaries and school expenses, the Board of Education of Dillon County is authorized to issue and sell general obligation bonds in an amount not to exceed five hundred forty thousand dollars either in a single issue or from time to time as several separate issues in the discretion of the board.

**SECTION 2. Maturity.**—All bonds issued pursuant to this act shall mature in such annual series or installments as the board shall provide for, except that the first maturing bonds shall mature within three years from the date as of which they shall be issued; not less than three per cent of the bonds shall mature in each year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

**SECTION 3. Redemption.**—Any bond issued pursuant to this act may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

**SECTION 4. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dillon County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 5. Place of payment.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the board shall provide.

**SECTION 6. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

**SECTION 7. Execution.**—The bonds and the coupons to be thereunto attached shall be executed in such manner as the board shall by resolution prescribe.

**SECTION 8. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 9. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the proceeds received from income tax by the county, not previously earmarked, shall be first pledged. As additional security the full faith, credit and taxing power of the county shall be irrevocably pledged, and there shall be levied by the Auditor of Dillon County, and collected by the Treasurer of Dillon County, in the same manner as county taxes are levied and collected, on all taxable property in the county, a tax sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 10. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 11. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dillon County, to be deposited in a bond account fund for the county, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

- (1) To defray the costs of issuing the bonds authorized by this act.
- (2) To satisfy the indebtedness of School District No. 1 to:
 

|   |              |
|---|--------------|
| Dillon County Treasurer .....                               | \$ 49,000.00 |
| Division of Sinking Funds and Property .....                | 37,492.11    |
| Teachers' salary supplement and other school expenses ..... | 28,000.00    |
|   | \$114,492.11 |
- (3) To satisfy the indebtedness of School District No. 2 to:
 

|   |            |
|---|------------|
| Division of Sinking Funds and Property for construction of West Elementary School ..... | 282,818.12 |
|---|------------|
- (4) To satisfy the indebtedness of School District No. 3 to:
 

|  |            |
|--|------------|
| Division of Sinking Funds and Property for addition to Latta White Elementary School ..... | 130,000.00 |
| Teachers' Salary Supplement .....  | 10,000.00  |
|  | 140,000.00 |

If any money shall remain after making the foregoing applications, the remainder shall be applied to the payment of interest not reflected in the foregoing or to the school districts on a per pupil basis. If any money remains from the income tax after payment of interest and principal on the bond, it shall be distributed to the school districts on a per pupil basis. No purchaser or subsequent holder of any of the bonds shall be responsible for the application of the proceeds to the purposes for which such bonds are issued.

**SECTION 12. Powers and authority.**—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

**SECTION 13. Authority of act.**—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized, nor shall the board be required to obtain the ap-

proval of any public agency to any action taken pursuant to the authorizations of this act.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R621, H1878)

**No. 502**

**An Act To Make Supplemental Appropriations For The Fiscal Year 1962-1963 From The General Fund Of Dillon County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations for the fiscal year 1962-1963 are made from the general fund of Dillon County :

|  |              |
|--|--------------|
| Air Conditioning Unit for Judge of Probate . . \$          | 210.00       |
| Helen Daughtery (Emer. Food Program),<br>Salary . . . . .  | 137.50       |
| Street Markers . . . . .                                   | 310.00       |
| Gasoline for June—Sheriff's Department . . . . .           | 450.00       |
| Payment for Road Machinery due August 1 . . .              | 14,500.00    |
| Ladies Rest Room—Third Floor—Approximate<br>Cost . . . . . | 750.00       |
| Tax Assessment Office                                      |              |
| Appraiser . . . . .  | 300.00       |
| Appraiser . . . . .  | 250.00       |
| Appraiser—Mileage . . . . .                                | 400.00       |
| Field Assistants . . . . .                                 | 8,150.00     |
| Field Assistants—Mileage . . . . .                         | 1,200.00     |
| Off. Supplies and Equip. . . . .                           | 500.00       |
|  | <hr/>        |
|  | \$ 10,800.00 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

(R667, H1912)

**No. 503****An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964; To Provide For The Expenditure Thereof; And To Prescribe The Duties Of Certain County Officers.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of six mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1963, for the amounts and for the purposes hereinafter stated, that is to say :

**A. Salaries:****Auditor's Office:**

|   |             |
|---|-------------|
| County Auditor, Salary .....  | \$ 2,100.00 |
| Mileage .....   | 200.00      |
| Clerk to Auditor .....  | 2,940.00    |
| The county auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.            |             |
| Deputy Auditor is hereby assigned as assistant custodian of grounds of public buildings and auditing machines ..... |             |
|   | 200.00      |
| Clerk to Auditor (part time) .....  | 750.00      |

---

Total .....

\$ 6,190.00

**Treasurer's Office:**

|   |          |
|---|----------|
| County Treasurer, Salary .....              | 2,100.00 |
| Mileage and Office Expense .....            | 200.00   |
| Clerk to County Treasurer .....             | 2,900.00 |
| Clerk to County Treasurer (part time) ..... | 500.00   |

---

Total .....

\$ 5,700.00

**Clerk of Court's Office:**

|   |          |
|---|----------|
| Clerk of Court, Salary .....              | 5,400.00 |
| Mileage and Office Expenses .....         | 200.00   |
| Additional Duties, Clerk of Court .....   | 300.00   |
| Clerk to Clerk of Court .....             | 2,940.00 |
| Clerk to Clerk of Court (part time) ..... | 1,260.00 |

*Provided*, the Clerk of Court is herewith assigned additional duties of custodian of courthouse and photographic machine operator.

|  |              |
|--|--------------|
| Total .....  | \$ 10,100.00 |
| Sheriff's Office:  |              |
| Sheriff, Salary \$6,400.00, Mileage \$600.00...  | 7,000.00     |
| Deputy Sheriff's, 5 @ \$4,800.00 each salary and \$400.00 each mileage .....   | 26,000.00    |
| Radio Supplies, Equipment .....  | 900.00       |
| Jailer-Radio Operator .....  | 2,000.00     |
| Clerk to Sheriff .....   | 2,940.00     |
| <i>Provided</i> , the sheriff shall designate one deputy as the Chief Deputy and for such additional duties he shall be compensated annually, additional salary .....  | 300.00       |
| The sheriff shall designate one deputy as special deputy and for such additional duties he shall be compensated annually, additional salary .....  | 300.00       |
| Gasoline and upkeep of county automobiles...   | 4,600.00     |
| <i>Provided</i> , that after this amount is spent it becomes the responsibility of the sheriff and deputies to pay for own gas and upkeep of county automobiles.   |              |
| <i>Provided</i> , the sheriff shall dispose of at public sale all confiscated automobiles, trucks or other vehicles on hand, within a period of sixty days of seizure, and deposit the proceeds with the County Treasurer to be used for educational purposes. |              |
| Total .....  | \$ 44,040.00 |
| Probate Judge's Office:  |              |
| Judge of Probate, Salary .....   | 4,500.00     |
| Mileage and Office Expense .....   | 400.00       |
| Clerk to Probate Judge .....   | 2,940.00     |
| Clerk to Probate Judge (Part time) .....   | 1,800.00     |
| Total .....  | \$ 9,640.00  |
| County Board of Commissioners:   |              |
| Chairman, Salary .....   | 1,200.00     |
| Chairman, Mileage .....  | 200.00       |

|   |           |
|---|-----------|
| 6 Commissioners @ \$1,000.00 each .....   | 6,000.00  |
| 6 Commissioners, Mileage .....  | 600.00    |
| Clerk to County Board .....   | 2,730.00  |
| Dieting of Prisoners .....  | 1,750.00  |
| Emergency Fund—Jail Medicines .....   | 1,500.00  |
| Pauper Burials @ \$75.00 each .....   | 3,000.00  |
| Road Supervisor, Salary .....   | 4,000.00  |
| Road Supervisor, Mileage and Expense .....  | 600.00    |
| Operational Fund for Road Maintenance,<br>Bridges, etc. ....  | 30,000.00 |
| Chain Gang Guards, 3 @ \$3,000.00, 1 @ \$3,-<br>300.00 and 1 @ \$1,200.00 .....                                   | 13,500.00 |
| Travel for one Chain Gang Guard .....   | 600.00    |
| One Mechanic .....  | 3,000.00  |
| Clerk to Delegation, provided that Clerk of<br>Board of Commissioners shall serve as Clerk<br>to Delegation ..... | 600.00    |
| Dillon County Chamber of Commerce .....   | 2,000.00  |
| Dillon Rescue and First Aid .....   | 500.00    |
| Street Lights for Unincorporated Communities .....  | 1,860.00  |
| Dillon County Historical Society .....  | 500.00    |
| Lake View Rescue and First Aid .....  | 500.00    |

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Total .....\$ 74,640.00

## Board of Education Office:

|  |           |
|--|-----------|
| Chairman, @ \$65.00 per month .....                          | 780.00    |
| 6 Members, @ \$600.00 each .....                             | 3,600.00  |
| Clerk to County Board of Education .....                     | 2,835.00  |
| Attendance Teacher, Mileage Expenses .....                   | 600.00    |
| County Superintendent of Education, Mileage<br>Expense ..... | 1,200.00  |
| 3 District Superintendents @ \$7,500.00 each ..              |           |
| Lake View No. 1, Dillon No. 2; Latta No. 3 ..                | 22,500.00 |

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Total .....\$ 31,515.00

## Board of Health:

|                            |          |
|----------------------------|----------|
| Clerk 1, Salary .....      | 1,258.00 |
| Clerk 1, (part time) ..... | 2,274.00 |
| Travel: .....              |          |
| Health Officer .....       | 850.00   |
| Sanitarian III .....       | 1,780.00 |
| P. H. Nurse 1-B .....      | 1,000.00 |

|  |          |
|--|----------|
| P. H. Nurse 1-A .....                      | 1,000.00 |
| P. H. Nurse 1-A .....                      | 1,000.00 |
| Miscellaneous Office Expense .....         | 900.00   |
| Medicine for Indigent T. B. Patients ..... | 200.00   |
| Chest X-Ray Clinic .....                   | 500.00   |
| Crippled Children's Travel .....           | 1,200.00 |

---

Total .....\$ 11,962.00

Department of Public Welfare:

|   |           |
|---|-----------|
| Mileage and use of personal cars for 7 workers  |           |
| @ \$400.00 .....  | 2,800.00  |
| Telephone .....   | 500.00    |
| Chairman .....  | 420.00    |
| Two Members, @ \$360.00 each .....  | 720.00    |
| Two Clerks, @ \$240.00 each .....   | 480.00    |
| Mileage, Child Welfare Worker .....   | 720.00    |
| Miscellaneous Expense—Office .....  | 1,560.00  |
| Welfare Fund, for Out-of-County Expenses ..   | 200.00    |
| Emergency Aid Fund, includes hospitalization<br>and medical care for paupers only—not on Wel-<br>fare Rolls ..... | 15,000.00 |

*Provided*, that hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Dillon County and there shall not be expended on any one case a greater sum than \$175.00.

*Provided*, further, that the Board may in extreme cases approve further expenditures, but the county shall not be liable for additional sums unless authorization by the Board is first secured. This fund shall be drawn quarterly by the Board of Public Welfare from the County Board of Commissioners on vouchers.

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Total .....\$ 22,400.00

Office of County Service Officer:

|                                    |          |
|------------------------------------|----------|
| Service Officer, Salary .....      | 3,600.00 |
| Service Officer, Mileage .....     | 800.00   |
| Assistant to Service Officer ..... | 2,730.00 |
| Office Expense .....               | 300.00   |

---

Total .....\$ 7,430.00

## Tax Collector's Office:

|                                   |          |
|-----------------------------------|----------|
| Assistants to Tax Collector ..... | 3,500.00 |
|-----------------------------------|----------|

*Provided*, this fund shall be disbursed on a basis of two dollars for each tax execution collected by Tax Collector or Assistant Collectors, and that their claims shall be approved by the Delinquent Tax Collector before approval and payment by the County Board of Commissioners.

|   |          |
|---|----------|
| Clerk to Delinquent Tax Collector ..... | 2,730.00 |
|---|----------|

|             |             |
|-------------|-------------|
| Total ..... | \$ 6,230.00 |
|-------------|-------------|

## Magistrates:

|              |          |
|--------------|----------|
| Dillon ..... | 3,300.00 |
|--------------|----------|

|                   |        |
|-------------------|--------|
| Little Rock ..... | 750.00 |
|-------------------|--------|

|             |          |
|-------------|----------|
| Latta ..... | 2,800.00 |
|-------------|----------|

|             |        |
|-------------|--------|
| Kirby ..... | 600.00 |
|-------------|--------|

|                 |          |
|-----------------|----------|
| Lake View ..... | 2,000.00 |
|-----------------|----------|

|            |        |
|------------|--------|
| Fork ..... | 600.00 |
|------------|--------|

|             |        |
|-------------|--------|
| Hamer ..... | 600.00 |
|-------------|--------|

|             |              |
|-------------|--------------|
| Total ..... | \$ 10,650.00 |
|-------------|--------------|

## Master's Office:

|                      |          |
|----------------------|----------|
| Master, Salary ..... | 1,500.00 |
|----------------------|----------|

|                                    |        |
|------------------------------------|--------|
| Office and Operating expense ..... | 900.00 |
|------------------------------------|--------|

|             |             |
|-------------|-------------|
| Total ..... | \$ 2,400.00 |
|-------------|-------------|

## Coroner's Office:

|                       |          |
|-----------------------|----------|
| Coroner, Salary ..... | 1,800.00 |
|-----------------------|----------|

|                               |        |
|-------------------------------|--------|
| Stenographer to Coroner ..... | 200.00 |
|-------------------------------|--------|

*Provided*, that stenographer shall be paid by County Board of Commissioners at the rate of \$7.00 per inquest.

|               |        |
|---------------|--------|
| Mileage ..... | 400.00 |
|---------------|--------|

|             |             |
|-------------|-------------|
| Total ..... | \$ 2,400.00 |
|-------------|-------------|

## County Attorney's Office:

|                               |        |
|-------------------------------|--------|
| County Attorney, Salary ..... | 750.00 |
|-------------------------------|--------|

|             |           |
|-------------|-----------|
| Total ..... | \$ 750.00 |
|-------------|-----------|

|   |              |
|---|--------------|
| Janitors:   |              |
| Janitors at Courthouse .....  | 1,750.00     |
| Janitor at Agricultural Building .....  | 1,670.00     |
| Janitor at Health Center .....  | 1,670.00     |
| Total .....   | \$ 5,090.00  |
| B. Jurors .....   | \$ 3,350.00  |
| <i>Provided</i> , jurors be paid at rate of \$7.50 per day and mileage each day served.   |              |
| Total .....   | \$ 3,350.00  |
| C. Post Mortems, Inquests, Lunacy Examinations..  | \$ 1,000.00  |
| Total .....   | \$ 1,000.00  |
| D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone .....  | \$ 20,000.00 |
| <i>Provided</i> , however, that all long distance telephone calls be reported separately to the Board of Commissioners before any bills shall be paid, such reports to be submitted by the first Monday in each month.                      |              |
| Total .....   | \$ 20,000.00 |
| E. Dillon Armory .....  | \$ 1,800.00  |
| Total .....   | \$ 1,800.00  |
| F. Cancer Society .....   | \$ 750.00    |
| Dillon County Mental Health Association ...   | 250.00       |
| Total .....   | \$ 1,000.00  |
| G. Printing, Postage, Stationery .....  | \$ 7,500.00  |
| Total .....   | \$ 7,500.00  |
| H. Contingencies:   |              |
| Miscellaneous Contingent Fund .....   | \$ 7,500.00  |
| <i>Provided</i> , \$6,500.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$1,000.00 shall be spent upon approval of the County Board of Commissioners. Amount to be used for Uniform Reciprocal En- |              |

|   |              |
|---|--------------|
| enforcement of Support Act to be disbursed @    |              |
| \$25.00 per case .....                          | 750.00       |
| <b>Total</b> .....                              | \$ 8,250.00  |
| I. Librarian (Latta) @ \$120.00 per month ..... | \$ 1,440.00  |
| Assistant Librarian @ \$180.00 per month....    | 2,160.00     |
| Librarian (Dunbar) @ \$87.24 per month ....     | 1,046.88     |
| Librarian (Lake View) @ \$43.50 per month..     | 522.00       |
| Part-time help @ \$6.00 per day .....           | 864.00       |
| Part-time help @ \$6.00 per day .....           | 864.00       |
| Helper @ \$66.00 per month .....                | 792.00       |
| Helper @ \$42.00 per month .....                | 504.00       |
| Helper @ \$24.00 per month .....                | 288.00       |
|   | <hr/>        |
|   | \$ 8,480.88  |
| Repairs .....                                   | 350.00       |
| Books, magazines, book repair and bookmobile    | 7,500.00     |
| Insurance, heat, lights, water and telephone..  | 1,720.00     |
| Miscellaneous .....                             | 400.00       |
|   | <hr/>        |
| <b>Total</b> .....                              | \$ 18,450.88 |
| J. Vital Statistics .....                       | \$ 300.00    |
|   | <hr/>        |
| <b>Total</b> .....                              | \$ 300.00    |
| K. Postage, Home and Farm Agents .....          | \$ 50.00     |
| 4-H Club—Boys' .....                            | 200.00       |
| 4-H Club—Girls' .....                           | 200.00       |
| Home Demonstration Supplies .....               | 50.00        |
| Boy Scout Work .....                            | 250.00       |
| Girl Scout Work .....                           | 250.00       |
| Home Demonstration Agent, Salary Supplement     | 120.00       |
| County Agent, Salary Supplement .....           | 1,200.00     |
| Assistant County Agent, Mileage .....           | 750.00       |
| Dillon Soil Conservation Dist. ....             | 700.00       |
| Game Warden, Mileage (2) .....                  | 600.00       |
|   | <hr/>        |
| <b>Total</b> .....                              | \$ 4,370.00  |
| L. Retirement Fund, County Officials .....      | \$ 3,000.00  |
| Social Security, County Officials .....         | 2,000.00     |
| Workmen's Compensation .....                    | 825.00       |
|   | <hr/>        |
| <b>Total</b> .....                              | \$ 5,825.00  |

|  |              |
|--|--------------|
| M. Chaplain for Chain Gang .....                                       | \$ 300.00    |
| Total .....  | \$ 300.00    |
| N. Dillon County Soil Conservation Supervisor<br>Clerk part time ..... | \$ 2,730.00  |
| Total .....  | \$ 2,730.00  |
| O. Board of Equalization .....   | \$ 1,000.00  |
| Total .....  | \$ 1,000.00  |
| P. Dunbar Memorial Library:<br>Librarian, Salary—\$25.00 monthly ..... | \$ 300.00    |
| Total .....  | \$ 300.00    |
| Q. Forestry Board:<br>Operation—two trucks @ \$300.00 .....            | \$ 600.00    |
| Total .....  | \$ 600.00    |
| R. American Legion .....   | \$ 500.00    |
| V. F. W. ....  | 500.00       |
| Lake View American Legion .....  | 500.00       |
| Mrs. A. B. Jordan—Retirement @ \$75.00 per<br>month .....              | 900.00       |
| Audit of County Books .....  | 1,800.00     |
| Town of Latta—Industry .....   | 6,200.00     |
| Lake View Rural Fire House .....                                       | 6,200.00     |
| B. F. Gasque—Retirement @ \$100.00 per<br>month .....                  | 1,200.00     |
| Dillon Summer Recreation Department .....                              | 1,000.00     |
| Latta Summer Recreation Department .....                               | 500.00       |
| Lake View Summer Recreation Department ..                              | 500.00       |
| Dillon Colored Recreation Department .....                             | 500.00       |
| Total .....  | \$ 20,300.00 |
| Director of Civil Defense, Rural Fire and Res-<br>cue .....            | 5,600.00     |
| Administrative Asst. ....  | 2,870.26     |
| Civil Defense Administrative Office Expense ..                         | 2,000.00     |
| Engineers .....  | 7,200.00     |
| Fire Department Operation .....  | 2,500.00     |

|                                      |          |
|--------------------------------------|----------|
| Civil Defense Surplus Property ..... | 1,000.00 |
| Firemen's Compensation .....         | 5,000.00 |
| Hose .....                           | 500.00   |

*Provided*, the above sum shall be expended at the rate of \$5.00 per rural fire on individual vouchers submitted quarterly and approved by Dillon County Rural Fire Director.

|             |              |
|-------------|--------------|
| Total ..... | \$ 26,670.26 |
|-------------|--------------|

S. Tax Assessment Board:

|   |           |
|---|-----------|
| 3 Appraisers @ \$25.00 per day, if performed \$ | 9,000.00  |
| 1 Asst. Appraiser .....                         | 1,800.00  |
| 1 Assessor, Salary .....                        | 3,300.00  |
| 1 Assistant Assessor, Salary .....              | 2,500.00  |
| 1 Chief Clerk, Salary .....                     | 1,470.00  |
| 2 Assistant Clerks, Salary @ \$1,250.00 each..  | 2,500.00  |
| 1 Records Clerk .....                           | 600.00    |
| Field Assistants @ \$12.00 per day .....        | 15,000.00 |
| Office Supplies .....                           | 1,000.00  |
| Expense for Senator, if he so chooses .....     | 1,500.00  |

|             |              |
|-------------|--------------|
| Total ..... | \$ 38,670.00 |
|-------------|--------------|

GRAND TOTAL—APPROPRIATIONS .....\$413,553.14

Estimated Amount of Deductions and Dis-  
counts:

|  |             |
|--|-------------|
| Tax Discount Act .....                   | \$ 5,000.00 |
| Estimated Amount of 1961-1962 Nulla Bona |             |
| Tax Executions .....                     | 5,000.00    |

|             |              |
|-------------|--------------|
| Total ..... | \$ 10,000.00 |
|-------------|--------------|

GRAND TOTAL—ALL APPROPRIATIONS .....\$423,553.14

Less Estimated Revenue—Other Than Taxes:

|   |              |
|---|--------------|
| Insurance Tax from State .....                | \$ 35,000.00 |
| Fines and Costs—Magistrate .....              | 50,000.00    |
| Gasoline Tax from State .....                 | 90,000.00    |
| Liquor Tax and Licenses from State .....      | 35,000.00    |
| Income Tax from State .....                   | 40,000.00    |
| From State for Service Officer's Office ..... | 5,000.00     |
| Fees and Commissions from County Offices..    | 40,000.00    |

|                                      |              |
|--------------------------------------|--------------|
| Beer Tax from State .....            | 12,000.00    |
| Bank Tax from State .....            | 1,000.00     |
| Civil Defense Compensation .....     | 5,000.00     |
|                                      | <hr/>        |
|                                      | \$313,000.00 |
|                                      | <hr/>        |
| Net to be raised from Taxation ..... | \$100,553.14 |

**SECTION 2.** Supplies such as coal, fuel, food, office and other supplies for operation of the county courthouse, agricultural building, health centers, jail and chain gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

**SECTION 3.** The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and installations at the chain gang camp and such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

**SECTION 4.** The appointment of the jailer shall be the duty of the sheriff, and he shall be fully responsible for the jailer's duties and actions. The jailer is also to be radio operator at the jail's remote control station.

**SECTION 5.** The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided*, that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from

the county back into the State, except the amount therefor first be approved by the board of county commissioners.

**SECTION 6.** The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1963-1964 for the following purposes: county ordinary, six mills; teachers' salaries, fifteen mills; one mill teachers' sick leave for a maximum annual sick leave of five days per teacher @ \$9.00 per day, any days not used in any school year may accumulate to next school year, not to exceed ten days, but no teacher shall be allowed to use more than ten days sick leave in any one school year; incidental expenses for schools, eight mills; building repairs for school, six mills; insurance on public school buildings, one mill; and school lunches, three mills to be used for lunches upon the recommendation of the county board of education; free text books, two mills. *Provided*, no dog tax shall be levied.

**SECTION 7.** The commutation road tax for the year 1963-1964 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual appropriations act.

**SECTION 8.** The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from Dillon County. *Provided*, that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure or contract the amount herein provided for each item, and for such excess allowed or permitted, said offices shall be held liable on their official bonds. The clerk of the county board of commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

**SECTION 9.** The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours shall be from 8:30 A. M. to 12 noon. *Provided*, that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided*, further, November eleventh and December twenty-sixth are hereby designated as legal holidays in Dillon County.

**SECTION 10.** All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as nulla bona, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any nulla bona item shall be written on the face thereof.

**SECTION 11.** The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

**SECTION 12.** The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided*, such change in levy is approved in writing by a majority of the Legislative Delegation, including the Senator, from Dillon County.

**SECTION 13.** All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

**SECTION 14.** It shall be the duty of the probate judge to make a charge of one dollar for issuance of certified copies of marriage licenses to a nonresident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

**SECTION 15.** Each month all monies turned over to the county treasurer by the delinquent tax collector shall be distributed equally among the three school districts by the county treasurer, and shall be expended on this basis as directed by the county board of education.

**SECTION 16.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R82, H1241)

**No. 504**

**An Act To Authorize The Board Of Trustees Of School District No. 2 Of Dorchester County To Issue Not Exceeding Two Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that School District No. 2 of Dorchester County, South Carolina, has a need for further school facilities in order to accommodate pupils attending the public school system in the school district. It has therefore determined to authorize the board of trustees of the school district to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of two hundred fifty thousand dollars, or such lesser sum as may, upon the occasions of the issuance of bonds, be determined to be within the constitutional limitation applicable to the school district.

**SECTION 2. School District 2 of Dorchester County may acquire school facilities.**—The Board of Trustees of School District No. 2 of Dorchester County is empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds made available to the board of trustees and, to that end, shall be empowered to construct and equip new school buildings, to improve, enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

**SECTION 3. May issue bonds—use of proceeds.**—In order to obtain funds for the purposes herein set forth, the board of trustees is hereby authorized to issue not exceeding two hundred fifty thousand dollars of general obligation bonds of School District No. 2 of Dorchester County. The proceeds derived from the sale of the bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of the bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further school facilities as provided herein.

(d) If any balance remain, it shall be held by the Treasurer of Dorchester County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 4. Issue — maturity — redemption — interest — dates.**—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the board of trustees of the school district; *provided*, that no bonds shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board of trustees, except that the maturity date of the last installment of any bonds issued hereunder shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board of trustees, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board of trustees shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates

of interest as the board of trustees may determine, payable on such occasions as the board shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorizations of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Dorchester County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board of trustees may prescribe. They shall bear such date or dates and be payable at such places as the board of trustees may likewise prescribe.

**SECTION 5. Execution.**—The bonds, and the interest coupons thereto attached, shall be executed in such manner as the board of trustees shall prescribe.

**SECTION 6. Sale.**—The bonds shall be sold by the board of trustees at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

**SECTION 7. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 8. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, all entitlements accruing to the school district for educational purposes from the State Educational Finance Commission and the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, a tax without limit on all taxable property in the school district, sufficient to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the Treasurer of Dorchester County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South

Carolina to School District No. 2 of Dorchester County for capital improvements for school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

**SECTION 9. Action may be taken at any meeting.**—Any action required of the board of trustees may be taken at any meeting of the board of trustees, regular or special, and at such meeting a majority of the members of the board of trustees shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board of trustees by the provisions of this act.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

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(R84, H1244)

**No. 505**

**An Act To Authorize The Board Of Trustees Of School District No. 1 And The Treasurer Of Dorchester County To Borrow Thirty Thousand Dollars For The Purpose Of Reimbursing The County, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. School District 1 of Dorchester County may borrow money.**—The Board of Trustees of School District No. 1 and the Treasurer of Dorchester County are authorized to borrow, for the purpose of reimbursing Dorchester County, a sum not exceeding thirty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District No. 1 and the Treasurer of Dorchester County. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

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(R121, H1295)

**No. 506**

**An Act To Validate A Certain Obligation Of Dorchester County In The Amount Of Thirty Thousand Dollars And To Provide For The Payment Of Such Obligation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Obligation of Dorchester County validated.**—The General Assembly finds that prior to this enactment the Treasurer and governing body of Dorchester County borrowed thirty thousand dollars from the Division of Sinking Funds and Property evidenced by a note dated September 27, 1961, payable in five, equal, successive, annual installments, with interest thereon at the rate of four per cent per annum. The General Assembly ratifies, approves and confirms the above obligation incurred on behalf of Dorchester County and declares the obligation to be legal, valid and binding upon Dorchester County; *provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note, the Auditor of Dorchester County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R139, S224)

**No. 507**

**An Act Authorizing And Directing The South Carolina State Highway Department To Construct And Pave Certain Roads In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Certain roads to be constructed and paved in Dorchester County.**—The South Carolina State Highway Department is hereby authorized and directed to construct and pave the following roads in Dorchester County:

(1) Road at the Aluminum Fabricating Plant located on the north side of U. S. 78 at a point 1.35 miles west of the intersection of U. S. 78 and U. S. 17-A at Summerville. Plant known as Fapco Corporation.

(2) Road at the St. George Dress Plant located just off U. S. 15 at a point .35 of a mile south of the intersection of U. S. 15 and U. S. 78 in the Town of St. George.

(3) Road at the Industrial Plant of Cocoa Mat, Inc., located 0.1 mile off U. S. 78 on Cedar Street (Road 110) at the junction of Cedar Street and Murray Street (Road 109) in the Town of St. George.

(4) Road at the Dress Plant at Summerville located at the end of East First North Street just across Gum Street.

(5) Road at the Briteline Moulding Corporation Plant located on S. C. 61 about 1 mile west of the intersection of S. C. 165 with S. C. 61.

Funds which have accrued to Dorchester County under the Farm-to-Market Program shall be used for the payment of the construction of these roads.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R189, H1420)

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No. 508

**An Act To Authorize The County Board Of Directors Of Dorchester County To Issue And Sell Not Exceeding One Hundred Forty Thousand Dollars Of General Obligation Bonds Of Dorchester County; To Prescribe The Purposes For Which The Bonds Shall Be Issued; To Make Provision For The Payment Of The Bonds; And To Repeal Act No. 1089 Of 1962, Relating To The Issuance Of One Hundred Thousand Dollars Of General Obligation Bonds Of Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 841 of the Acts of 1962, now in the process of amendment by legislation enacted *in pari materia*, there has been created and is in existence the Area Commission for the Charleston Technical Education Center (the Area Commission). The Area Commission has been created in order that the Counties of Berkeley, Charleston and Dorchester may cooperate with the program instituted by Article 7, Chapter 15, Title 21, of the 1962 Code.

The General Assembly further finds that there is an immediate need that such program be instituted promptly for the area affected.

Under the provisions of the State program it is required that co-operating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain them. Surveys conducted indicate that a suitable building, or buildings, with appropriate facilities and equipment, located in a convenient place, are necessary before the State program can begin to function in Berkeley, Charleston and Dorchester Counties. The General Assembly has, therefore, determined to empower the County Board of Directors of Dorchester County, as the governing agency of Dorchester County, to issue general obligation bonds of Dorchester County, to the extent herein provided, in order to provide Dorchester County's share of the funds required for the construction and equipping of suitable facilities. In so determining, the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is, therefore, one which counties are authorized to undertake pursuant to Section 6, of Article X of the Constitution of South Carolina.

**SECTION 2. Dorchester County may issue bonds for technical educational facilities.**—In order to provide funds to be expended by the Area Commission for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Board of Directors of Dorchester County (the County Board) is hereby authorized and empowered to issue and sell general obligation bonds of Dorchester County in an aggregate principal amount not exceeding one hundred forty thousand dollars.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the County Board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the County Board, but no bond shall be redeemable before maturity unless it contains a statement to

the effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Dorchester County, upon such conditions as the County Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the County Board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the County Board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Board shall by resolution provide.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Dorchester County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Dorchester County, and collected by the Treasurer of Dorchester County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Dorchester County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522 of the 1962 Code.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Dorchester County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Area Commission, to defray the cost of issuing the bonds authorized hereby, and to pay the costs incurred in the acquisition, construction and equipping of facilities of the sort described in Section 1.

(d) If any balance remain, it shall be held by the Treasurer of Dorchester County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 14. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Board shall be in addition to all other powers and authorizations previously vested therein and may be exercised either independently of or concurrently with comparable action authorized for the governing agencies of Berkeley and Charleston Counties, who by legislation enacted *in pari materia* have been authorized to issue bonds to provide the respective shares of those counties of the cost of the program contemplated by this act.

**SECTION 15. Act 1089 of 1962 repealed.**—Act No. 1089 of the Acts of the General Assembly for 1962 is hereby repealed.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

**An Act Authorizing And Directing The South Carolina State Highway Department To Construct And Pave Certain Roads In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department to pave certain roads in Dorchester County.**—The South Carolina State Highway Department is hereby authorized and directed to construct and pave the following roads in Dorchester County:

- (1) Road 16—from Road 26 to Road 19—two miles;
- (2) A road leading from its intersection with Road 339 eastward to pavement at Charleston County line—one mile;
- (3) Road 175 from U. S. 15 westward—one and one-half miles;
- (4) Road 79—from Road 18 to U. S. 78—one and four-tenths miles; and
- (5) Jerusalem Church Road from U. S. 15 southeastward—one and one-half miles.

Funds which have accrued to Dorchester County under the Federal Aid Secondary Program shall be used for the payment of the construction of these roads.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R216, H1444)

**No. 510**

**An Act To Provide For The Levy Of Taxes For Ordinary, School And General County Purposes For Dorchester County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Direct And Provide For The Expenditure Thereof; And To Otherwise Provide For The Fiscal Affairs And The Administration Of The Business Of Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** The following sums of money, if so much be necessary, be and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1963, and ending June 30, 1964; and the Auditor of Dorchester County is hereby authorized to levy, and the Treasurer to collect, a tax upon all the taxable property in the county sufficient to defray the same, after deducting all other available income and revenue:

|  |                     |
|--|---------------------|
| Item 1. Roads and Bridges—Convicts and Maintenance<br>of Road Organization and Equipment . . . . . | \$ 55,000.00        |
| <b>Total, Item 1 . . . . .</b>   | <b>\$ 55,000.00</b> |
| Item 2. Salaries:  |                     |
| Clerk's Office:  |                     |
| Clerk of Court . . . . .   | \$ 1,800.00         |
| Clerical Help to Clerk (Two Clerks @ \$2,700-<br>.00; One Clerk @ \$2,400.00) . . . . .            | \$ 7,800.00         |
| Books—Book Binding, Supplies . . . . .   | 1,575.00            |
|  | <hr/>               |
|  | 11,175.00           |
| Sheriff's Office:  |                     |
| Sheriff . . . . .  | 4,500.00            |
| Expenses for Sheriff—Travel, etc. . . . .  | 1,500.00            |
| Clerical Help for Sheriff . . . . .  | 2,700.00            |
| Deputy Sheriffs (Four @ \$300.00 per month)  | 14,400.00           |
| Expenses—Deputy Sheriffs (\$150.00 each per<br>month) . . . . .                                    | 7,200.00            |
| Law Enforcement Fund (to be expended by<br>Sheriff) . . . . .                                      | 800.00              |
| Payment on Radios . . . . .  | 1,041.15            |
| Deputy Sheriff and Jailer (Jailer to act as Ra-<br>dio Dispatcher at night) . . . . .              | 1,980.00            |
| Expense for Jailer . . . . .   | 420.00              |
| Uniforms for Deputies . . . . .  | 700.00              |
| Service and Repairs on Radios . . . . .  | 600.00              |
|  | <hr/>               |
|  | 35,841.15           |
| County Treasurer's Office:   |                     |
| Treasurer . . . . .  | 1,200.00            |
| Clerk Hire to Treasurer . . . . .  | 2,700.00            |
| Supplies for Office and Extra Help . . . . .   | 300.00              |
|  | <hr/>               |
|  | 4,200.00            |
| Auditor's Office:  |                     |
| Auditor . . . . .  | 1,200.00            |
| Clerk Hire to Auditor . . . . .  | 2,700.00            |
| Supplies for Office and Extra Help . . . . .   | 300.00              |
|  | <hr/>               |
|  | 4,200.00            |

## Tax Collector's Office:

|   |          |
|---|----------|
| Tax Collector .....   | 3,600.00 |
| Expenses—Travel, etc., for Collector (All fees, except mileage, to be paid to the Treasurer) .. | 600.00   |
| Clerk to Tax Collector .....  | 2,700.00 |

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6,900.00

|                       |          |
|-----------------------|----------|
| County Attorney ..... | 1,200.00 |
|-----------------------|----------|

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1,200.00

## Coroner's Office:

|                             |        |
|-----------------------------|--------|
| Coroner .....               | 600.00 |
| Expenses, Travel, etc. .... | 300.00 |

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900.00

## Master in Equity's Office:

|   |          |
|---|----------|
| Master in Equity .....  | 1,200.00 |
| Clerk—Part time to Master (All fees to be retained by Master) ..... | 900.00   |

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2,100.00

|                          |          |
|--------------------------|----------|
| Janitor—Courthouse ..... | 1,800.00 |
|--------------------------|----------|

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1,800.00

## Road Supervisor's Office:

|                             |          |
|-----------------------------|----------|
| Road Supervisor .....       | 4,800.00 |
| Expenses, Travel, etc. .... | 600.00   |

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5,400.00

## Judge of Probate's Office:

|   |          |
|---|----------|
| Judge of Probate .....                        | 2,400.00 |
| (All fees to be retained by Judge of Probate) |          |
| Clerk to Judge of Probate .....               | 1,500.00 |

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3,900.00

## Board of Directors:

|                                      |          |
|--------------------------------------|----------|
| Chairman, Board of Directors .....   | 2,400.00 |
| Four Directors @ \$900.00 each ..... | 3,600.00 |
| Clerk to Board of Directors .....    | 2,700.00 |

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8,700.00

|  |              |
|--|--------------|
| Clerk to Health Nurse at Summerville .....         | 2,400.00     |
|  | <hr/>        |
|  | 2,400.00     |
| Magistrates and Constables:                        |              |
| Magistrate at St. George .....                     | 2,000.00     |
| Constable at St. George .....                      | 1,500.00     |
| Magistrate at Reevesville .....                    | 900.00       |
| Constable at Reevesville .....                     | 600.00       |
| Magistrate at Harleyville .....                    | 900.00       |
| Constable at Harleyville .....                     | 600.00       |
| Magistrate at Ridgeville .....                     | 900.00       |
| Constable at Ridgeville .....                      | 600.00       |
| Magistrate at Summerville .....                    | 2,000.00     |
| Constable at Summerville .....                     | 2,000.00     |
| Assistant to Solicitor of First Judicial Circuit.  | 250.00       |
|  | <hr/>        |
|  | 12,250.00    |
|  | <hr/>        |
| Total, Item 2 .....                                | \$100,966.15 |
| Item 3. County Boards:                             |              |
| A. Board of Education—Seven Members .....          | \$ 2,100.00  |
|  | <hr/>        |
|  | 2,100.00     |
| B. Board of Registration — Three Members @         |              |
| \$500.00 each .....                                | 1,500.00     |
| Clerk to Board .....                               | 500.00       |
| (Members and Clerk to receive \$100.00 per         |              |
| month from Jan. 20, 1964 to June 20, 1964)         |              |
|  | <hr/>        |
|  | 2,000.00     |
| C. Board of Assessors .....                        | 2,500.00     |
|  | <hr/>        |
|  | 2,500.00     |
| D. Board of Health .....                           | 8,000.00     |
| (The above amount to be expended, if so much       |              |
| be necessary, by the Board of Health for Rent,     |              |
| Utilities, Biologicals, etc., upon the written ap- |              |
| proval of the Dorchester County Legislative        |              |
| Delegation)  |              |
|  | <hr/>        |
|  | 8,000.00     |

|   |              |
|---|--------------|
| E. Forfeited Land Commission—Three Members.   | 1,800.00     |
|   | <hr/>        |
|   | 1,800.00     |
|   | <hr/>        |
| Total, Item 3 .....   | \$ 16,400.00 |
| Item 4. Dieting of Prisoners at Jail, @ \$1.25 per day..  | \$ 12,000.00 |
|   | <hr/>        |
|   | 12,000.00    |
|   | <hr/>        |
| Total, Item 4 .....   | \$ 12,000.00 |
| Item 5. Jurors and Witnesses .....  | \$ 4,000.00  |
| <i>Provided</i> , that all jurors be paid \$5.00 per day<br>for attendance at court, and each witness be paid<br>\$3.00 per day for the same. |              |
|   | <hr/>        |
|   | 4,000.00     |
|   | <hr/>        |
| Total, Item 5 .....   | \$ 4,000.00  |
| Item 6. Charities:  |              |
| Dorchester County Hospital .....  | \$ 25,000.00 |
|   | <hr/>        |
|   | 25,000.00    |
|   | <hr/>        |
| Total, Item 6 .....   | \$ 25,000.00 |
| Item 7. Post Mortems and Lunacies .....   | \$ 1,000.00  |
| Pauper Burials .....  | 1,000.00     |
|   | <hr/>        |
|   | 2,000.00     |
|   | <hr/>        |
| Total, Item 7 .....   | \$ 2,000.00  |
| Item 8. Charges for Water, Lights, Fuel, Insurance for<br>Courthouse, Jail and County Buildings .....   | \$ 4,200.00  |
|   | <hr/>        |
|   | 4,200.00     |
|   | <hr/>        |
| Total, Item 8 .....   | \$ 4,200.00  |

- Item 9. Printing, Postage and Stationery .....\$ 4,000.00  
(This amount to be paid by Board of Directors  
upon claims presented for above items for all  
County Officials)

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4,000.00

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Total, Item 9 .....\$ 4,000.00

Item 10. Miscellaneous:

- A. Bond Premiums for County Officials .....\$ 750.00  
B. Expenses—Probation Officer ..... 600.00  
B-1. Expenses— School Lunch Supervisor ..... 300.00  
B-2. Expenses—Director, Department of Public Wel-  
fare ..... 900.00  
B-3. Expenses—Visitors, Department of Public Wel-  
fare (Three @ \$600.00 each) ..... 1,800.00  
B-4. Expenses—Board Members of the Department  
of Public Welfare ..... 900.00  
B-5. Expenses—County Service Officer ..... 600.00  
B-5.(A) Clerk to Service Officer ..... 1,500.00  
B-6. Telephones—Courthouse, Jail and Department  
of Public Welfare (including long distance mes-  
sages in official capacity only) ..... 3,000.00  
B-7. Medical attention to prisoners ..... 750.00  
B-8. Expenses—Visiting Teacher ..... 300.00  
C. Office Rent for County Agents ..... 720.00  
C-1. Office Rent, Heat, Lights, etc., for Department  
of Public Welfare ..... 1,300.00  
C-2. Office Rent—Superintendent of Education .... 240.00  
C-3. Rent—School Lunch Warehouse ..... 300.00  
C-3. (A) Stenographers — Welfare Department—  
Supplement ..... 600.00  
C-4. Rent—F.H.A. Office ..... 420.00  
C-4. (A) Rent—Magistrate's office—Summerville . 300.00  
D. Emergency Relief—Department of Public Wel-  
fare ..... 2,000.00  
D-1. Supplies—Department of Public Welfare..... 50.00  
E. County Agents—4-H Club Work ..... 200.00  
F. Negro Home Demonstration Agent—  
Salary and Travel ..... 720.00

|  |              |
|--|--------------|
| G. Negro Boys' 4-H Club Work .....   | 50.00        |
| G-1. Negro Girls' 4-H Club Work .....  | 50.00        |
| G-2. Negro Agent's Office Rent .....   | 360.00       |
| G-3. Clerk—Half time Negro Agent and Home Demonstration Agent .....  | 600.00       |
| H. Supplies for Negro Home Demonstration Agent .....   | 50.00        |
| H-1. Supplies for Home Demonstration Agent .....   | 75.00        |
| H-2. Women's Home Demonstration Work .....   | 50.00        |
| I. Home Demonstration Agent—   |              |
| Salary Supplement .....  | 240.00       |
| I-1. County Agent—Salary Supplement .....  | 500.00       |
| J. Clerk to County and Home Demonstration Agent .....  | 960.00       |
| K. Vocational Agriculture Program .....  | 850.00       |
| L. Dorchester County T. B. Association .....   | 2,500.00     |
| M. Dorchester County Breeders' Association .....   | 300.00       |
| N. Harleyville—Ridgeville Public Libraries .....   | 100.00       |
| O. Timrod Library and Library Association .....  | 2,250.00     |
| P. Public Landings on Edisto River .....   | 1,800.00     |
| Q. National Guard Companies—   |              |
| Maintenance @ \$1,000 each .....   | 2,000.00     |
| Q-1. Auditing of County Books .....  | 1,500.00     |
| R. Social Security—Employees .....   | 5,000.00     |
| R-1. Premiums—S. C. Industrial Commission .....  | 3,000.00     |
| R-2. Contributions—S. C. Retirement System .....   | 5,500.00     |
| <hr/>  |              |
| Total, Item 10 .....   | \$ 45,985.00 |
| Item 11. A. Law Enforcement—Harleyville .....  | \$ 1,800.00  |
| B. Law Enforcement—Ridgeville .....  | 600.00       |
| C. Law Enforcement—Reevesville .....   | 300.00       |
| <hr/>  |              |
| 2,700.00   |              |
| <hr/>  |              |
| Total, Item 11 .....   | \$ 2,700.00  |
| Item 12. Dorchester County Circulating Library .....   | \$ 9,740.00  |
| (The above amount to be expended by the Dorchester County Library Board upon the written approval of the Dorchester County Legislative Delegation) |              |
| <hr/>  |              |
| 9,740.00   |              |
| <hr/>  |              |
| Total, Item 12 .....   | \$ 9,740.00  |

|   |              |
|---|--------------|
| Item 13. To Dorchester Soil Conservation District . . . .   | \$ 1,000.00  |
| (To be expended upon written approval of Dorchester County Legislative Delegation)  |              |
| A. Civil Defense . . . . .  | 2,000.00     |
|   | <hr/>        |
|   | 3,000.00     |
|   | <hr/>        |
| Total, Item 13 . . . . .  | \$ 3,000.00  |
| Item 14. For Industrial and Development purposes to be used in conjunction with Charleston and Berkeley Counties . . . . .  | 2,000.00     |
| (To be expended on the written authorizaiton of the Dorchester County Legislative Delegation)   |              |
|   | <hr/>        |
|   | 2,000.00     |
|   | <hr/>        |
| Total, Item 14 . . . . .  | \$ 2,000.00  |
| Item 15. Contingent Fund . . . . .  | \$ 5,000.00  |
| (The above amount is appropriated to meet unforeseen emergencies in the operation of county government and shall be expended upon the written authorization of the Legislative Delegation of Dorchester County) |              |
|   | <hr/>        |
|   | 5,000.00     |
|   | <hr/>        |
| Total, Item 15 . . . . .  | \$ 5,000.00  |
|   | <hr/>        |
| GRAND TOTAL . . . . .   | \$291,991.15 |
| LESS ESTIMATED REVENUE FROM OUTSIDE SOURCES:  |              |
| Gasoline Tax . . . . .  | \$100,000.00 |
| Fines . . . . .   | 25,000.00    |
| Insurance License Fees . . . . .  | 11,000.00    |
| Income Tax . . . . .  | 25,000.00    |
| Wine and Beer Tax . . . . .   | 5,000.00     |
| Bank Tax . . . . .  | 950.00       |
| Delinquent Taxes and Costs . . . . .  | 20,000.00    |

|  |           |              |
|--|-----------|--------------|
| Liquor Tax .....                         | 20,000.00 |              |
| Service Officer .....                    | 4,173.00  |              |
|  | <hr/>     |              |
| Total, Estimated Revenue .....           |           | \$211,123.00 |
|  |           | <hr/>        |
| AMOUNT TO BE RAISED<br>BY TAXATION ..... |           | \$ 80,868.15 |

## Item 16. Bonded Indebtedness:

(1) The necessary amounts are hereby appropriated to meet the payment of principal and interest maturing during the fiscal year beginning July 1, 1963, and ending June 30, 1964, on all bond issues and other indebtedness now outstanding against the County of Dorchester.

(2) The County Treasurer is hereby empowered to borrow for county purposes during the fiscal year beginning July 1, 1963, and ending June 30, 1964, to the extent of the tax levy and other income or revenue of the county, if so much be necessary, upon his note or notes, and is empowered to pledge as security for such money borrowed, and interest thereon, the taxes of the year 1963, together with any other income or revenue of the county for the fiscal year 1963-1964.

(3) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for Road Work Commutation Tax.

(4) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning July 1, 1962, and ending June 30, 1963, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

**SECTION 2.** In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County, the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointment by the Senator and the Member of the House of Representatives of Dorchester County.

**SECTION 3.** Upon the written approval of the Legislative Delegation of Dorchester County, the trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating ex-

penses of the schools for the 1963-1964 school year, and to pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon the school districts for general operating expenses for the school year 1963-1964.

**SECTION 4.** All bills presented to the County Board of Directors shall be itemized.

**SECTION 5.** The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

**SECTION 6.** Appropriations for State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

**SECTION 7.** Notwithstanding any provisions of any act to the contrary, all persons sentenced to the Public Works of Dorchester County shall be subject to the sole jurisdiction of the Road Supervisor of Dorchester County and subject to his orders, care and keeping.

**SECTION 8.** It shall be the further duty of the Road Supervisor to see that the grounds of the Courthouse and Dorchester County Hospital shall be cleaned at least once each month.

**SECTION 9.** This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

**An Act To Amend Act No. 534 Of The Acts Of 1961, Relating To The Issuance Of General Obligation Bonds Of Dorchester County For The Purpose Of Remodeling The Existing Court-**

**house And Constructing A New Courthouse, So As To Increase The Amount of Bonds That May Be Issued.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1 of Act 534 of 1961 amended—findings of General Assembly.**—Section 1 of Act No. 534 of the Acts of 1961 is amended by striking it and inserting in lieu thereof the following: “Section 1. The General Assembly takes note of the fact that the County Board of Directors of Dorchester County (herein called the ‘board’) has conducted a survey of the sufficiency of the present courthouse and the needs of Dorchester County for suitable office space in which to house county officials, and that it has recommended that the existing courthouse be remodeled into an office building and added to, if necessary, and that a new courthouse be constructed on a site next adjacent to the present courthouse and that both be suitably equipped. The survey so made has established that the cost of such project will involve an expenditure by Dorchester County of not less than four hundred fifty thousand dollars, and the General Assembly, after due consideration of the problem, has determined to authorize the undertaking and to empower the board to issue not exceeding four hundred fifty thousand dollars of general obligation bonds of Dorchester County to defray the cost of the project which it now authorizes the board to undertake.”

**SECTION 2. Section 2 of Act 534 of 1961 amended—old courthouse to be remodeled and new courthouse constructed.**—Section 2 of Act No. 534 of the Acts of 1961 is amended by striking it and inserting in lieu thereof the following:

“Section 2. The General Assembly authorizes the board to effect the remodeling of the existing county courthouse into an office building and add thereto, if necessary, and the construction of a new courthouse building on the site next adjacent thereto, and upon completion of the remodeling and construction to provide suitable equipment for both buildings. The undertaking shall be effected at a cost of not exceeding four hundred fifty thousand dollars, and prior to the issuance of the bonds authorized by this act an appropriate finding shall be made by the board to establish that the project here authorized can be satisfactorily carried out at a cost of not exceeding four hundred fifty thousand dollars.”

**SECTION 3. Section 3 of Act 534 of 1961 amended—bond issue authorized.**—Section 3 of Act No. 534 of the Acts of 1961 is

amended by striking it and inserting in lieu thereof the following: "Section 3. In order to provide the funds required for the project authorized to be undertaken by this act, the board is authorized to issue general obligation bonds of Dorchester County in the aggregate principal amount of not exceeding four hundred fifty thousand dollars.

The action to be taken by the board in effecting the issuance of the bonds authorized by this act may be taken at a special or regular meeting and may be in the form of a resolution which shall become effective immediately upon its adoption, but no action shall be taken to authorize the issuance of the bonds unless the board shall determine that the project herein authorized can be satisfactorily completed at a cost to Dorchester County of not exceeding four hundred fifty thousand dollars."

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R312, H1623)

**No. 512**

**An Act To Authorize The Board Of Trustees Of School District No. 3 And The Treasurer Of Dorchester County To Borrow Fifty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Dorchester County School District 3 may borrow money.**—The Board of Trustees of School District No. 3 and the Treasurer of Dorchester County are authorized to borrow, for school purposes, a sum not exceeding fifty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District No. 3 and the Treasurer of Dorchester County. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

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(R418, S387)

**No. 513**

**An Act Authorizing And Directing The South Carolina State Highway Department To Construct And Pave Certain Roads In Dorchester County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department to construct certain roads in Dorchester County.**—The South Carolina State Highway Department is hereby authorized and directed to construct and pave the following roads in Dorchester County:

- (1) Road 22 from U. S. Highway 78 West of Jedburg, southerly to intersection with Road 58, connecting other paving on Road 22—two and two-tenths miles;
- (2) Road from its junction with Road 89 near Harleyville, northwesterly into St. Paul Camp Ground Section—one and one-half miles;
- (3) Continuation of paving on Road 83 in a southerly direction—one mile;

(4) Road 168 from junction with U. S. Highway 15, north of St. George, on Road 168—one and one-half miles; (School Bus Maintenance Shop road) and

(5) Road 136 from Junction with Road 174, to end of paving on Road 136—one and eight-tenths miles. (Cummings Chapel Road)

Funds which have accrued to Dorchester County under the Federal Aid Secondary Program shall be used for the payment of the construction of these roads.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R656, S476)

**No. 514**

**An Act To Authorize The County Board Of Directors Of Dorchester County To Remodel The Existing County Courthouse Into A County Office Building; Add Thereto, If Necessary; Construct A New Courthouse Building, Including A Suitable Paved Parking Area; Construct And Equip A New County Jail; And To Finance Either Or Both Of The Same By The Issuance Of Not Exceeding Four Hundred Fifty Thousand Dollars Of General Obligation Bonds Of Dorchester County; To Prescribe The Conditions Under Which The Bonds May Be Issued; To Make Provision For The Payment Of The Principal And Interest Of The Bonds; And To Repeal Act No. 534 Of 1961, As Amended, Relating To The Remodeling Of The Existing Dorchester County Courthouse And Providing For The Issuance Of Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly takes note of the fact that the County Board of Directors of Dorchester County, which is the administrative agency upon which is devolved the principal governmental functions relating to the administration of county affairs in Dorchester County (herein called the "Board"), has conducted a survey of the sufficiency of the present courthouse and the needs of Dorchester County for suitable office space in which to house county officials, and has further conducted a survey of the sufficiency of the pres-

ent county jail and that it has recommended that the existing courthouse be remodelled into an office building and added to, if necessary, and that a new courthouse be constructed on a site next adjacent to the present courthouse and that both be suitably equipped and provided with suitable paved parking areas, and that the present jail be demolished and replaced with a new jail and that same be fully equipped. The survey so made has established that the cost of such projects will involve an expenditure by Dorchester County of not less than Four Hundred Fifty Thousand Dollars, and the General Assembly, after due consideration of the problem, has determined to authorize the undertaking and to empower the Board to issue not exceeding Four Hundred Fifty Thousand Dollars of general obligation bonds of Dorchester County to defray the cost of either or both of the projects which it now authorized the Board to undertake.

**SECTION 2. Dorchester County may construct new courthouse and jail.**—The General Assembly expressly authorized the Board to effect the remodelling of the existing county courthouse into an office building and add thereto, if necessary, and the construction of a new courthouse building on the site next adjacent thereto and provide adequate paved parking therefor, and upon the completion of the remodelling and construction, to provide suitable equipment for both buildings, and further expressly authorizes the Board to construct a new County Jail, demolish the existing jail and provide suitable equipment for said building. Such undertaking or undertakings shall be effected by the expenditure of funds of Dorchester County not exceeding Four Hundred Fifty Thousand Dollars, and prior to the issuance of the bonds authorized by this act, an appropriate finding shall be made by the Board to establish that the project or projects here authorized can be satisfactorily carried out at a cost to Dorchester County not exceeding Four Hundred Fifty Thousand Dollars.

**SECTION 3. Bonds may be issued.**—In order to provide the funds required for the project or projects authorized to be undertaken by this act, the Board is hereby authorized to issue general obligation bonds of Dorchester County in the aggregate principal amount of not exceeding Four Hundred Fifty Thousand Dollars.

The action to be taken by the Board in effecting the issuance of the bonds authorized by this act may be taken at a special or regular meeting and may be in the form of a Resolution which shall become effective immediately upon its adoption, but no action shall be taken

to authorize the issuance of the bonds unless the Board shall determine that the project or projects herein authorized can be satisfactorily completed at a cost to Dorchester County of not exceeding Four Hundred Fifty Thousand Dollars.

**SECTION 4. Issue—maturity.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues. They shall mature in such series or instalments as the Board shall from time to time determine. The first bonds of each issue shall mature not later than two years from the date as of which they shall be issued, and the last maturing bonds of each issue shall mature not later than twenty years from the date as of which they shall be issued.

**SECTION 5. Redemption—interest—dates.**—Any bonds issued pursuant to this act may contain a provision permitting their redemption prior to their stated maturity at such rate of premium as may be prescribed by the Board. They shall bear such rates of interest as the Board shall determine, payable semiannually. They shall bear such date and be payable at such places as the Board shall determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Dorchester County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

**SECTION 6. Execution.**—The bonds shall be executed, and the coupons authenticated, in such manner as the Board shall by Resolution prescribe.

**SECTION 7. Sale.**—The bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their delivery, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of the bonds authorized by this act, shall be published in a newspaper of general circulation in the State.

**SECTION 8. Proceeds.**—The proceeds derived from the sale of the bonds issued pursuant to this act shall be deposited with the Treasurer of Dorchester County in a special fund, separate and distinct from all other funds, and shall be expended, upon the order or warrant of the Board, as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds;

(c) The remaining proceeds shall be used to defray the costs of issuing the bonds authorized hereby, and for the remodelling of the existing county courthouse into an office building and add thereto, if necessary, and the construction of a new courthouse building on the site next adjacent thereto, and upon the completion of the remodelling and construction, for providing suitable equipment for both buildings, including a suitable paved parking area, for the demolition of the existing county jail and the construction of a new county jail and upon the completion of same, for providing suitable equipment for said building; and

(d) If any balance remain, the same shall be used to effect the retirement of the bonds authorized hereby.

No purchaser or subsequent holder of any of the bonds issued pursuant to this act shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

**SECTION 9. Payment.**—The full faith, credit and taxing power of Dorchester County shall be pledged for the payment of the bonds and interest, and the Auditor and Treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

**SECTION 10. Exempt from taxes.**—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 11. Act 534 of 1961 repealed.**—Act No. 534 of 1961, as amended, is repealed.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of July, 1963.

**An Act To Authorize The Board Of Trustees Of The School District And The Treasurer Of Edgefield County To Borrow Not Exceeding Fifty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Edgefield County School District may borrow money.**—The Board of Trustees of the School District and the Treasurer of Edgefield County are authorized to borrow not exceeding fifty thousand dollars for school purposes. The amount borrowed shall be evidenced by a note to be executed by the chairman of the board and the treasurer of the county. The note shall bear interest not to exceed four per cent per annum and shall be payable in installments to be agreed upon by the borrowers and the lender. The borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should the monies be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1963; To Provide For The Expenditure Thereof;**

**And To Provide Tax Exemptions For Certain Manufacturing Establishments In Edgefield County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1963 and ending June 30, 1964:

|   |              |
|---|--------------|
| Item 1. Maintenance of chain gang, bridges, roads and buildings .....   | \$ 37,000.00 |
| Item 2. Clerk of Court's Office:  |              |
| (a) Clerk of Court's Salary .....   | 1,560.00     |
| (b) Deputy Clerk of Court's Salary .....  | 2,400.00     |
| Item 3. Sheriff's Department:   |              |
| (a) Sheriff's Salary .....  | 4,140.00     |
| (b) Clerical help for Sheriff .....   | 2,160.00     |
| (c) Two Deputy Sheriffs at \$3,540.00 each .....  | 7,080.00     |
| (d) Uniforms for Deputy Sheriffs .....  | 400.00       |
| (e) Maintenance and automobile expenses, radio repairs and upkeep for Sheriff's Department, if so much be necessary .....                   | 3,000.00     |
| <i>Provided, the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.</i>   |              |
| (f) S. C. Police Officers Retirement System .....   | 960.00       |
| Item 4. Auditor (County's part):  |              |
| (a) Auditor's Salary .....  | 1,320.00     |
| (b) Clerical help for Auditor .....   | 2,400.00     |
| Item 5. Treasurer (County's part):  |              |
| (a) Treasurer's Salary .....  | 1,320.00     |
| (b) Clerical help for Treasurer .....   | 2,400.00     |
| Item 6. Supervisor's Office:  |              |
| (a) Supervisor's Salary .....   | 3,552.00     |
| (b) Clerk to Board of County Commissioners .....  | 2,400.00     |
| (c) Two County Commissioners at \$504.00 each ...   | 1,008.00     |
| Item 7. Attorney, Salary .....  | 720.00       |
| <i>Provided, the County Attorney shall represent the County and any of its subdivisions in all matters without additional compensation.</i> |              |

|          |   |          |
|----------|---|----------|
| Item 8.  | Tax Collector, Salary .....   | 2,880.00 |
|          | Travel Expense for Tax Collector .....  | 540.00   |
|          | Clerical help to Tax Collector .....  | 600.00   |
| Item 9.  | Coroner, Salary .....   | 720.00   |
| Item 10. | Judge of Probate's Office:  |          |
|          | (a) Judge of Probate's Salary .....   | 1,560.00 |
|          | (b) Clerical help for Judge of Probate .....  | 2,400.00 |
| Item 11. | Magistrates:  |          |
|          | (a) Magistrate of First District .....  | 2,100.00 |
|          | (b) Magistrate of Second District—Trenton .....   | 700.00   |
|          | (c) Magistrate of Third District—Johnston .....   | 1,120.00 |
|          | (d) Magistrate of Fourth District .....   | 300.00   |
|          | (e) Magistrate of Fifth District .....  | 640.00   |
|          | <i>Provided</i> , that no magistrate in Edgefield County shall receive his salary, unless and until, he shall have filed a statement with the County Treasurer showing all cases handled and the disposition thereof. |          |
| Item 12. | Janitors:   |          |
|          | (a) Janitor for Courthouse .....  | 1,200.00 |
|          | (b) Janitors for Agricultural and Health Center Buildings .....   | 1,200.00 |
| Item 13. | Post Mortems, Inquests and Lunacy .....   | 900.00   |
| Item 14. | Telephone and Telegraph .....   | 2,200.00 |
| Item 15. | Printing, Postage and Stationery .....  | 2,500.00 |
| Item 16. | Burial of County Poor .....   | 100.00   |
| Item 17. | Premiums on bonds for County Officers .....   | 1,000.00 |
| Item 18. | Water, Heat, Lights and Fuel for County Buildings, including heat for the two National Guard Armories .....   | 6,000.00 |
| Item 19. | Welfare Department:   |          |
|          | (a) Department of Public Welfare Board Members .....  | 324.00   |
|          | (b) For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County ....  | 500.00   |
|          | (c) Department of Public Welfare for emergency purposes .....   | 300.00   |
| Item 20. | Dieting of Prisoners in County Jail .....   | 2,400.00 |
| Item 21. | Boys' 4-H Club Work .....   | 100.00   |
| Item 22. | Girls' 4-H Club Work .....  | 100.00   |

|  |              |
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| Item 23. Farm Agent's Office:  |              |
| (a) Contingent Fund, for Farm Agent .....  | 100.00       |
| (b) Demonstration Supplies for County Home Agent .....   | 100.00       |
| Item 24. County Service Officer:   |              |
| (a) County Service Officer's Salary .....  | 3,993.00     |
| (b) Travel for Service Officer .....   | 600.00       |
| Item 25. Jailer, Salary .....  | 960.00       |
| Item 26. National Guard:   |              |
| (a) Johnston National Guard .....  | 600.00       |
| (b) Edgefield National Guard .....   | 600.00       |
| Item 27. Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund ..... | 3,600.00     |
| Item 28. Social Security on County employees (County's part) .....   | 2,000.00     |
| Item 29. Retirement on County employees (County's part) .....  | 2,100.00     |
| Item 30. Publishing County statements in both County newspapers .....  | 480.00       |
| Item 31. Repairing and maintaining County machines in various County offices .....                                     | 300.00       |
| Item 32. Office equipment, office supplies, box rents and miscellaneous expenses .....                                 | 2,000.00     |
| Item 33. Civil Defense .....   | 2,346.00     |
| Item 34. (a) County Health Department (County's part) .....  | 4,500.00     |
| (b) Hospital Charity Fund .....  | 3,500.00     |
| Item 35. Contingent Fund .....   | 10,000.00    |
| To be expended upon written approval of the Legislative Delegation.  |              |
| Item 36. Auditing the county affairs, 1963-1964 .....  | 500.00       |
| Item 37. Superintendent of Education, travel expense ..  | 1,200.00     |
| Item 38. Farm Agents' Office:  |              |
| (a) County Agent, Travel Expense .....   | 600.00       |
| (b) Home Demonstration Agent, Travel Expense .....   | 240.00       |
| Item 39. Edgefield Dairy Breeders Association .....  | 900.00       |
| Item 40. Forestry Board Members .....  | 50.00        |
| Item 41. Mental Health .....   | 2,231.90     |
| Item 42. Rural Library Service .....   | 11,958.60    |
| Item 43. County Re-assessment Program .....  | 12,000.00    |
| GRAND TOTAL .....  | \$173,663.50 |

**SECTION 2.** The board of county commissioners, subject to approval by the County Legislative Delegation, may divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1963-1964.

**SECTION 3.** The jailer of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

**SECTION 4.** The court crier, jurors, jury boy and bailiffs shall receive seven dollars per day for each day's service in attendance upon court.

**SECTION 5.** In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services, he shall be entitled to the fees allowed him by law for issuing marriage licenses.

**SECTION 6.** No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobile are to be used exclusively for county purposes.

**SECTION 7.** All payments herein provided for shall be made direct to the person receiving same.

**SECTION 8.** No telephone shall be maintained by the county except with the written approval of the county supervisor and all long distance calls charged to county phones must be itemized and presented to the county supervisor's office before bill will be paid.

**SECTION 9.** No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county clerk of court who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

**SECTION 10.** No office equipment, furniture and fixtures shall be bought except upon the written approval of the county delegation.

**SECTION 11.** No property shall be rented for the use of the county, or any department thereof except with the written permission of the county supervisor and at least one commissioner.

**SECTION 12.** All purchases for gang, roads, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided*, that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners. *Provided*, further, that all tires and supplies shall be bought in Edgefield County.

**SECTION 13.** No tractors, trucks, scrapes, wagons, scoops or any kind of road machinery can be purchased with county funds or sold without the written consent of the County Legislative Delegation.

**SECTION 14.** The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the Clerk of Court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided*, that Edgefield County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1962.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents, and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words.

**SECTION 15.** The County Legislative Delegation shall have the right at any time to alter any of the salaries or appropriations herein, *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

**SECTION 16.** The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other and any unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation. Nor shall any additional employee be hired by the county without approval of the legislative delegation.

**SECTION 17.** In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds or any other fund, such sum or sums as in the opinion of the legislative delegation may be in the best interest of the county.

**SECTION 18.** All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

**SECTION 19.** Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's and the superintendent of education's offices shall be set up by having a separate and distinct page for each item and account contained herein.

**SECTION 20.** The miscellaneous account herein set up shall be spent only upon the written approval of the County Legislative Delegation.

**SECTION 21.** The allotment of office space in the courthouse to various officers and departments shall be made by the clerk of court who shall have complete charge of the courthouse.

**SECTION 22.** All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer or may hereafter come into the hands of the treasurer shall be placed in the general funds of the county.

**SECTION 23.** All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152, Code of Laws of South Carolina, 1962.

**SECTION 24.** All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

**SECTION 25.** No county-owned automobile or truck shall be used for any purpose other than county business.

**SECTION 26.** County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain open from eight to four o'clock Monday through Friday of each week, and on Saturday shall remain open from eight to twelve o'clock.

**SECTION 27.** Any new manufacturing establishment located in Edgefield County that manufactures metal cabinets, and other items, meeting the qualifications set forth in Section 65-1552 of the Code of Laws of South Carolina, 1962, shall be entitled to the tax exemption provided for in that section.

**SECTION 28.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R26, H1098)

**No. 517**

**An Act To Authorize The Board Of Education And The Treasurer Of Fairfield County To Borrow Not Exceeding Two Hundred Thousand Dollars For School Construction And To Provide For The Repayment.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Fairfield County Board of Education may borrow money.**—The Board of Education and the Treasurer of Fairfield County are hereby authorized to borrow for school construction not exceeding two hundred thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evi-

denced by a note to be executed by the Chairman of the Board of Education and the Treasurer of Fairfield County. The note shall bear interest at the rate of four per cent per annum from the date thereof, and shall be payable in five successive, equal, annual instalments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the Auditor of Fairfield County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon. The entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which time the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

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(R48, S102)

**No. 518**

**An Act To Change The Name Of Fairfield County Memorial Hospital To The Fairfield Memorial Hospital.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Name of Fairfield County Memorial Hospital changed.**—The name of the Fairfield County Memorial Hospital, created pursuant to Act No. 706 of the Acts of 1946, is hereby changed to Fairfield Memorial Hospital.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

(R66, H1182)

**No. 519****An Act Extending The Open Season For The Hunting Of Quail And Rabbits In Fairfield County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail and rabbit season for Fairfield County.—**

The open season for the hunting of quail and rabbits in Fairfield County is extended to March 1, 1963.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R94, H1261)

**No. 520****An Act To Amend Act No. 1077 Of The Acts Of 1958, Relating To The Wateree Watershed Conservation District In Fairfield County, So As To Further Provide For The Membership Of The Board Of Directors.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 9 of Act 1077 of 1958 amended—subsection (d) added—vacancies**—Section 9 of Act No. 1077 of the Acts of 1958 is amended by adding a new subsection, to be (d), as follows:

“(d) After the expiration of any term of office or in the event of a vacancy, the board of supervisors shall cause an election to be held for the purpose of filling such vacancy.”, so that, when so amended, the section shall read as follows:

“Section 9. (a) Within thirty days after the district is created, the board of supervisors shall cause an election to be held therein, for the election of a board of directors consisting of five members, who shall hold office for a term of four years. The board of directors shall, under the supervision of the board of supervisors, be the governing body of the watershed conservation district.

(b) The board of directors shall annually elect from its membership a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office to be approved by the board of directors. Such bond shall be by a surety company authorized to do business in this State, and shall

be in an amount determined by the board of directors. The premium on the bond shall be paid by the board of directors.

(c) Each person desiring to be a director of a watershed conservation district shall file a nominating petition with the board of supervisors, signed by twenty-five or more freeholders within the watershed conservation district. If the candidates nominated do not exceed the positions available they shall be declared elected. No person shall be eligible to be a director of a watershed conservation district who is not a freeholder in the district in which he seeks election.

(d) After the expiration of any term of office or in the event of a vacancy, the board of supervisors shall cause an election to be held for the purpose of filling such vacancy."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R245, H1482)

**No. 521**

**An Act To Authorize The Treasurer Of Fairfield County To Remove From The Books Of The County Accounts Due By Deceased Magistrates.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Fairfield County—accounts of deceased magistrates.**—The Treasurer of Fairfield County may remove from the books of Fairfield County the account due the county by deceased Magistrate W. C. Gladden in the amount of twenty-five dollars, and the account due the county by deceased Magistrate H. G. Wiley in the amount of two hundred fifty-five dollars.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R478, H1800)

**No. 522**

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Chain Gang**

**For Fairfield County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of twelve mills, if so much be necessary, is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1963, and ending June 30, 1964, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

**SECTION 1-A.** The auditor is directed to levy and the treasurer to collect a tax of one mill on all taxable property in the County of Fairfield to be credited to the Fairfield Memorial Hospital operating fund. This to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges .....\$ 70,000.00

*Provided*, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding \$400.00 shall be advertised in the newspaper published in the county.

*Provided*, however, in cases of emergency where repair parts are necessary to restore county-owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids.

*Provided*, further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. That under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

*Provided*, further, that all county road machinery and county trucks and motor vehicles

shall be plainly marked with letters of substantial size on both sides of the vehicles as follows: "Property of Fairfield County."

*Provided*, further, that no more than one-half the above amount may be expended or obligated to be spent prior to January 1, 1964.

Item 2. Salaries:

|                      |             |
|----------------------|-------------|
| Clerk of Court ..... | \$ 2,072.00 |
|----------------------|-------------|

|   |       |
|---|-------|
| For use by clerk of court in keeping courthouse yards and grounds ..... | 50.00 |
|---|-------|

The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the supervisor for labor and assistance in this work when deemed necessary.

|                            |        |
|----------------------------|--------|
| Clerk hire for Court ..... | 672.00 |
|----------------------------|--------|

|               |          |
|---------------|----------|
| Sheriff ..... | 5,152.00 |
|---------------|----------|

*Provided*, that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall perform these duties under the direction of the sheriff.

|               |          |
|---------------|----------|
| Jailers ..... | 4,480.00 |
|---------------|----------|

*Provided*, the sheriff shall designate the number of jailers, their hours and compensation.

|  |        |
|--|--------|
| Uniforms for Jailer (1/12 monthly) ..... | 150.00 |
|--|--------|

*Provided*, that the insignia of the office shall be affixed upon such uniforms.

*Provided*, further, that the Jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.

*Provided*, further, that the jailer shall furnish the usual surety bond required of other county police officers.

*Provided*, further, that the jailer shall be a person qualified to operate the station radio and keep adequate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.

|                        |          |
|------------------------|----------|
| Clerk to Sheriff ..... | 2,800.00 |
|------------------------|----------|

*Provided*, that the clerk shall operate the base radio in conjunction with the jailer during office hours, in addition to his other duties.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than \$44.80 per week .....

5,712.00

|                                |        |
|--------------------------------|--------|
| Travel for Tax Collector ..... | 800.00 |
|--------------------------------|--------|

|                                |          |
|--------------------------------|----------|
| Deputy to Clerk of Court ..... | 2,968.00 |
|--------------------------------|----------|

|                               |          |
|-------------------------------|----------|
| Clerk to Clerk of Court ..... | 2,100.00 |
|-------------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| Clerk to Judge of Probate ..... | 1,200.00 |
|---------------------------------|----------|

|  |           |
|--|-----------|
| Deputy Sheriffs, 3 @ \$4,032.00 each ..... | 12,096.00 |
|--|-----------|

*Provided*, that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mill Village community, and such deputy shall be assigned a county-owned police car.

|   |          |
|---|----------|
| Rural Police, 2 @ \$4,032.00 each ..... | 8,064.00 |
|---|----------|

Uniforms for Deputies and Rural Police, same to be purchased by Rural Police Commission, not to exceed .....

900.00

|   |          |
|---|----------|
| Auditor—to receive a portion of his salary from State Funds ..... | 1,422.00 |
|---|----------|

|                          |        |
|--------------------------|--------|
| Travel for Auditor ..... | 250.00 |
|--------------------------|--------|

|                          |          |
|--------------------------|----------|
| Auditor—Clerk Hire ..... | 2,968.00 |
|--------------------------|----------|

*Provided*, clerk to auditor shall be full time.

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|---|----------|
| Treasurer—to receive a portion of his salary from State Funds ..... | 1,422.00 |
|---|----------|

|                            |        |
|----------------------------|--------|
| Travel for Treasurer ..... | 250.00 |
|----------------------------|--------|

|                          |          |
|--------------------------|----------|
| Clerk to Treasurer ..... | 2,240.00 |
|--------------------------|----------|

|                |        |
|----------------|--------|
| Attorney ..... | 616.00 |
|----------------|--------|

|               |          |
|---------------|----------|
| Coroner ..... | 1,232.00 |
|---------------|----------|

|   |             |
|---|-------------|
| Travel for Coroner .....  | 150.00      |
| Supervisor .....  | 3,640.00    |
| Clerk—Board of County Commissioners .....   | 3,360.00    |
| Clerical Assistance to Clerk County Board ....  | 600.00      |
| Travel expenses for Clerk to Board of County Commissioners .....  | 300.00      |
| Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance .....  | 740.00      |
| Stenographer to County Agent .....  | 560.00      |
| Stenographer to Home Demonstration Agent ..   | 80.00       |
| Judge of Probate .....  | 2,350.00    |
| Secretary to Delegation .....   | 600.00      |
| County Forest Ranger—Fire Protection—three months' salary for Tractor operator .....  | 490.30      |
| Item 3. Expenses of County Officers:  |             |
| Supervisor's car and travel expense .....   | \$ 1,350.00 |
| The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.   |             |
| County Board of Commissioners .....   | 2,824.00    |
| Travel for Board of Commissioners—\$5.00 per month .....  | 300.00      |
| <i>Provided</i> , that the Chairman of the Board of Commissioners shall receive six hundred and seventy-two dollars per year, and each commissioner five hundred and thirty-eight dollars per year.   |             |
| Item 4. Insurance Fund .....  | \$ 4,000.00 |
| The above amount shall be appropriated from the General Fund of Fairfield County and transferred to an account designated as "Insurance Fund" to be held by the county treasurer. The county treasurer is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in securities which are approved under the law |             |

of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fairfield County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County-controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the County attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County-owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

*Provided*, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money is needed.

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|---|-------------|
| Item 5. County Health Unit .....  | \$ 5,800.00 |
| <i>Provided</i> , that \$500.00 of this amount shall be used for the purpose of treating arrested T. B. patients.                     |             |
| <i>Provided</i> , further, that two nurses and the Sanitarian will receive \$90.00 per month for travel from the above appropriation. |             |
| Item 6. Magistrates .....   | \$ 7,392.00 |
| Eight Constables for Magistrates—\$200.00 each  | 1,600.00    |
| Extra Constables for work with sheriff's office at his request .....  | 1,000.00    |
| Item 7. County Boards:  |             |
| Board of Equalization .....   | \$ 700.00   |
| Item 8. Jail Expenses .....   | \$ 4,000.00 |

- Item 9. Jurors and Witnesses and Court Expenses . . . \$ 4,500.00  
Court Crier shall receive \$7.00 per day.
- Item 10. Post Mortems, Inquests and Lunacies . . . . . \$ 700.00  
*Provided*, that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in the judgment of the coroner an inquest is justified or needed.  
*Provided*, that coroner's jurors shall receive \$1.00 per day.
- Item 11. Public buildings, including water, fuel, lights and insurance . . . . . \$ 13,800.00  
Workmen's Compensation premium shall be paid from this appropriation.  
*Provided*, that up to \$300.00 of this amount shall be used by the Clerk of Court to purchase the necessary equipment and supplies for the maintenance of the courthouse.
- Item 12. Printing, Postage and Stationery . . . . . \$ 3,000.00  
*Provided*, printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds.
- Item 13. Farm and Home Demonstration . . . . . \$ 500.00  
Clerical Help Colored Agent . . . . . 600.00  
County 4-H Club Work . . . . . 200.00  
County Farm Demonstration and 4-H Club Work (colored) . . . . . 300.00
- Item 14. Home Demonstration Work (Colored) . . . . . \$ 500.00
- Item 15. Janitor for Courthouse . . . . . \$ 1,008.00  
The janitor shall be hired by and shall be under the supervision and control of the Clerk of Court (caretaker of the courthouse).
- Item 16. Janitor for County Library . . . . . \$ 336.00
- Item 17. Future Farmers of America, Livestock Show . . \$ 350.00
- Item 18. Armory Maintenance . . . . . \$ 800.00
- Item 19. For supplies and maintenance of county-owned vehicles used in law enforcement . . . . . \$ 5,000.00  
*Provided*, the above sum shall be paid upon approval of the sheriff. The County Rural Police

Commission shall secure bids by public notice and shall be responsible for purchasing such supplies and equipment.

Item 20. Board of Public Welfare .....\$ 1,000.00

*Provided*, that this sum shall be paid to the Director of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out-of-county hospitalization and medicines and paupers' burial.

Item 20-A. The County Board of Public Welfare is hereby authorized and directed to expend the following appropriation for supplemental salaries for the director and employees of the Welfare Department .....\$ 2,240.00

Item 20-B. Members of the Board of Public Welfare for Fairfield County shall receive \$16.66 per meeting to be divided equally among those Board members present .....\$ 200.00

Item 21. Rural Police Commission .....\$ 75.00

*Provided*, that each commissioner who shall attend a regular meeting of the commission, or a special meeting of the commission, shall receive \$5.00 for such attendance. The appropriation set forth above shall be solely for the \$5.00 attendance and paid only to those members in attendance at such meeting.

Item 22. Magistrate Jurors (\$1.00 per day) .....\$ 200.00

Item 23. Fairfield Chamber of Commerce .....\$ 1,500.00

*Provided*, the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and development of the county.

Item 24. Service Officer's Office:

\$4,173.00 of the appropriation hereinbelow provided for shall be paid by the State and the remainder from County Funds.

Service Officer—Salary .....\$ 3,173.00

|   |              |
|---|--------------|
| Mileage .....   | 1,000.00     |
| Clerk to Service Officer .....  | 2,156.00     |
| <hr/>   |              |
| Total for Office .....  | \$ 6,329.00  |
| The expenses of this office, other than travel and salaries, shall be paid out of Item 11.  |              |
| Appropriation from County Funds for above..   | \$ 2,156.00  |
| Item 25. Hospitalization Insurance—County employees..   | \$ 4,000.00  |
| Item 26. County Agent, Salary Supplement .....  | \$ 170.00    |
| Assistant County Agent, Salary Supplement ..  | 170.00       |
| Item 27. For costs and investigations to encourage new industry for the county, to be expended upon the approval of the entire delegation .....   | \$ 1,000.00  |
| Item 28. Civil Defense Office:  |              |
| \$2,180.00 of the appropriation hereinbelow provided shall be paid by the State and the remainder from county funds.  |              |
| Civil Defense Officer—Salary .....  | \$ 3,360.00  |
| Secretarial help and office supplies .....  | \$ 1,000.00  |
| <hr/>   |              |
| Total .....   | \$ 4,360.00  |
| Appropriation from County Funds for above..   | \$ 2,180.00  |
| Item 29. Fairfield County Recreation Association .....  | \$ 3,000.00  |
| <i>Provided</i> , the amount appropriated in this item is to be expended only after a monthly budget is submitted by the Recreation Association and approved by a majority of the Legislative Delegation. |              |
| <hr/>   |              |
| GRAND TOTAL .....   | \$220,937.30 |

**SECTION 1-B.** A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1963, and ending June 30, 1964, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of bonded debt. It is further provided that an additional three mills is levied upon all the taxable property for the operation of schools for the fiscal year beginning July 1, 1963 and ending June 30, 1964.

**SECTION 2.** So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriations Act for Health Department work. This fund shall be expended under the following provisions: *Provided*, that the physician to be employed shall be a graduate of a regular medical college and skilled in hygiene and sanitary science, the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided*, however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge and that all trustees and principals shall give every assistance in carrying out this program; *provided*, further, that this appropriation is contingent upon the full compliance with this section.

**SECTION 3.** The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1963, and ending June 30, 1964, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, thirteen hundred and forty-four and one thousand one hundred and twenty dollars, respectively, per year;

Magistrates at Ridgeway, Mitford, Jenkinsville and Greenbrier, eight hundred and ninety-six dollars;

Magistrates at Feasterville and Jackson Creek, six hundred and seventy-two dollars each.

**SECTION 4.** All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

**SECTION 5.** The Sheriff of Fairfield County shall receive not exceeding one dollar and twenty cents each per day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail.

*Provided*, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

**SECTION 6.** All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1963-1964, and monies in the hands of the treasurer received by the collection of tax executions during the year 1963-1964 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1963, by reason of unexpended balance of appropriations for the period ending June 30, 1963, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided*, however, in the event there is an absence of either the Senator or the House Member, then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held during each calendar month.

**SECTION 7.** The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

**SECTION 8.** The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

**SECTION 9.** In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

**SECTION 10.** The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

**SECTION 11.** All orders or warrants upon the county treasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

**SECTION 12.** There is hereby levied a tax of one mill upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the treasurer to collect, such tax, in like manner as other taxes are collected.

**SECTION 13.** The county board of commissioners, out of the appropriations for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

**SECTION 14.** The treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriations Act into the general fund, and is further directed to place any such taxes which might hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

**SECTION 15.** The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; *provided*, however, that if the item to be purchased is the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

**SECTION 16.** Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or on a daily basis the sum of twenty-five dollars. *Provided*,

however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided*, further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortune-tellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer, who shall credit same to the general fund.

**SECTION 17.** The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company selected by the county board of commissioners, and approved by the county attorney, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 25.

**SECTION 18.** The hawkers' and peddlers' license for nonresidents, as required by law, to do business in Fairfield County shall be as follows:

|  |            |
|--|------------|
| Those selling, or offering for sale, furniture . . . . . | 200.00     |
| Those selling dry goods . . . . .                        | 150.00     |
| Those selling jewelry and novelties . . . . .            | 100.00     |
| Those picking up laundry . . . . .                       | 25.00; and |
| Those picking up dry cleaning . . . . .                  | 25.00      |

*provided*, that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be \$25.00, except ice delivery.

*Provided*, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first to July first after the initial application is made.

*Provided*, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

**SECTION 19.** *Provided*, that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to forty thousand dollars, to be repaid within three years upon such terms and at such rate as may be best obtained.

**SECTION 20.** The County Sanitation Officer and the Manager of the Town of Winnsboro may employ a person for the purpose of catching and impounding stray or uninoculated dogs. For the purpose of the enforcement of laws pertaining to such dogs only, the person so employed shall be commissioned a deputy sheriff.

**SECTION 21.** This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R54, H1156)

**No. 523**

**An Act To Authorize School District No. 3 Of Florence County To Borrow Not Exceeding Thirty Thousand Dollars And To Provide For The Payment Of Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School District 3 of Florence County may borrow money.**—The board of trustees of School District No. 3 of Florence County, and the county treasurer of Florence County, are hereby authorized to borrow not exceeding thirty thousand dollars from the State Sinking Fund, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional school facilities. The amount borrowed shall be evidenced by notes to be executed by each member of the board of trustees of School District No. 3 of Florence County and by the treasurer of Florence County. The notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

**SECTION 2.—Payment.**—For the payment of the note or notes the board of trustees of School District No. 3 and the county treasurer of

Florence County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

**SECTION 3. Payment further.**—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the auditor of Florence County shall levy, and the treasurer of Florence County shall collect, an annual tax upon all of the taxable property of School District No. 3 of Florence County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R100, H1220)

**No. 524**

**An Act To Authorize The Board Of Trustees Of School District No. 4 Of Florence County To Borrow The Sum Of Twenty-nine Thousand Dollars In Addition To The Sum Authorized By Act No. 547 Of 1961 For School Purposes, And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School District 4 of Florence County may borrow money.**—The Board of Trustees of School District No. 4 of Florence County is authorized to borrow for school purposes not exceeding twenty-nine thousand dollars in addition to the sum authorized by Act No. 547 of 1961 from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the chairman of the Board of Trustees of School District No. 4 and the Treasurer of Florence County. The note shall bear interest at the rate of four per cent per annum from the date thereof

and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note the Auditor of Florence County shall levy, and the Treasurer shall collect, an annual tax on the taxable property of School District No. 4 sufficient to pay the installments and interest thereon as they become due, and when the entire sum with interest has been paid the levy provided herein shall be terminated.

The full faith, credit and taxing power of School District No. 4 are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

**An Act To Authorize The Governing Board Of Florence County To Issue General Obligation Bonds Of The County, Not To Exceed One Million Dollars, For The Construction Of County Roads; To Provide That Such Roads Shall Be Constructed By The State Highway Department Pursuant To A Contract Of Reimbursement To Be Made Between The Governing Board And The State Highway Department; To Prescribe The Conditions Under Which Such Bonds Are To Be Issued And The Reimbursement Contract May Be Made; And To Provide For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Section 65-1075 of the 1962 Code provision was made for the continuance of the so-called Farm-to-Market or State Secondary Highway program for the period to end June 30, 1972, and that it was therein provided the method by which funds available for such purpose should be apportioned among the counties of the State.

Pursuant to such program, funds were made available for Farm-to-Market Roads in Florence County for the fiscal year ending June 30, 1962, in the amount of two hundred thirty-five thousand two hundred dollars, and it is to be reasonably anticipated that during each fiscal year throughout the period to end June 30, 1972, further substantial apportionments will be made.

In Florence County it has been determined that an immediate need exists for further Farm-to-Market Roads, and that the Governing Board of Florence County as established by Chapter 37, Title 14, Volume 3, of the 1962 Code, (hereinafter called the "Board"), should be empowered to raise not exceeding one million dollars and to make such sum available to the State Highway Department which, in turn, should apply the same to the construction of the most-needed county roads in Florence County, which have been transferred to and thus become a part of the State's Secondary Highway System (Farm-to-Market Roads).

**SECTION 2. Florence County may issue bonds for road construction.**—If a suitable agreement can be reached between the Board and the State Highway Department providing that the State Highway Department shall construct Farm-to-Market Roads in Florence County to an extent mutually agreed upon and divert moneys which would otherwise be expended in future years for Farm-to-Market Roads in Florence County, to the extent estimated to be necessary to meet the payment of the principal of the bonds herein authorized, the Board is authorized to issue general obligation bonds of Florence County to the extent not to exceed one million dollars.

**SECTION 3. Issue.**—The bonds authorized by this act shall be issued as a single issue or from time to time as separate issues.

**SECTION 4. Maturity.**—All bonds issued pursuant to this act shall mature in such annual series or instalments as the Board shall provide,

except that the first maturing bonds of any issue shall mature not more than two years from the date which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than June 30, 1972.

**SECTION 5. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call for redemption, if any, and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Florence County, upon such conditions as the Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the Board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the Board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the Board shall by resolution prescribe.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Florence County

shall be irrevocably pledged, and there shall be levied annually by the Auditor of Florence County, and collected by the Treasurer of Florence County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Florence County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that the ad valorem tax levy shall be reduced to the extent that there has been deposited with the county treasurer moneys derived from the apportionment herein authorized, on the occasion in each year when the ad valorem tax levy is to be made, and in all instances where an annual tax levy is so reduced, the moneys derived from such apportionment shall be applied to the payment of such principal and to no other purpose.

**SECTION 12. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Florence County, and shall be deposited in a bond account fund and shall be expended and made use of by the Board as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be first applied to the expenses incident to the issuance of the bonds, and so much as remains thereafter shall be turned over to the State Highway Department and applied by it on Farm-to-Market Roads in Florence County.

**SECTION 14. Reimbursement by Highway Department.**—The State Highway Department is hereby authorized to reimburse Florence County for all moneys turned over to the Highway Department by Florence County pursuant to Section 13(c) of this act. This reimbursement shall be made in annual instalments (in amounts not exceeding the annual debt service on the bonds to be issued by Florence County) out of the apportionment of funds accruing to Florence County under the State Highway Department's Farm-to-Market Construction Program and by reason of the statute, if so much thereof shall accrue to Florence County. The State Highway Department shall not be obligated to the repayment

to Florence County for any instalment due under its Reimbursement Agreement unless sufficient amounts for such instalments shall accrue to Florence County under the State Farm-to-Market Construction Program. The State Highway Department shall not be required to pay any interest to Florence County for funds turned over to the department pursuant to the provisions of this act. If, during any year hereafter, the apportionment to which Florence County is entitled exceeds the sum required to meet the annual installment of principal or interest of the bonds in that year, then such excess shall be applied by the State Highway Department as if no reimbursement agreement had been entered into.

**SECTION 15. Powers to be additional.**—The powers and authorizations conferred upon the Board and the State Highway Department shall be in addition to all other powers and authorizations previously vested in them.

**SECTION 16. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R177, H1392)

**No. 526**

**An Act To Abolish The Florence-Darlington Tuberculosis Commission As Created By Act No. 980 Of 1930, As Amended, And To Authorize The Governing Bodies Of Florence And Darlington Counties To Sell And Convey All Property Held By The Commission For The Tuberculosis Sanatorium To The McLeod Infirmary.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Florence-Darlington Tuberculosis Commission abolished.**—The Florence-Darlington Tuberculosis Commission organized pursuant to Act No. 980 of 1930, as amended, for the operation of a tuberculosis sanatorium for the two counties, is hereby abolished and all property held by the Commission for the tuberculosis sanatorium is vested in the counties of Florence and Darlington.

**SECTION 2. Property may be sold to McLeod Infirmary.**—The Governing Bodies of the Counties of Florence and Darlington

ton are hereby authorized to sell and convey the property formerly held by the Florence-Darlington Tuberculosis Commission to the McLeod Infirmary for the sum of three hundred fifty thousand dollars, such property consisting of approximately one hundred eight acres of land, buildings, furniture, fixtures and equipment. The property shall be sold upon the following terms and conditions:

Twenty-five thousand dollars to be paid upon the delivery of the deed to the purchaser, and the balance of the purchase price shall be paid annually over a period of twenty years with interest at the rate of four per cent evidenced by a note and secured by a first mortgage on subject property. *Provided*, that the purchaser may anticipate payment without penalty. The sale shall be subject to the restrictions of the Hill-Burton Act and conditioned upon the approval of the Department of Health, Education and Welfare.

The purchaser shall make all payments to the Treasurers of Florence and Darlington Counties in equal amounts.

**SECTION 3. Execution of deed.**—The governing bodies of the two counties are authorized to convey title to the property referred to in Section 2 of this act and the deed shall be signed by the chairman of the governing body of each of the counties and the treasurer of each of the counties. All acts done by the Governing Bodies of Florence and Darlington Counties pursuant to the selling and deeding of the property to the McLeod Infirmary are hereby validated and declared legal in all respects.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of April, 1963.

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(R231, H1465)

**No. 527**

**An Act To Authorize School District No. 5 Of Florence County To Borrow Not Exceeding Fifty Thousand Dollars And To Provide For The Payment Of Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Florence County School District 5 may borrow money.**—The board of trustees of School District No. 5 of Florence County, and the county treasurer of Florence County, are

hereby authorized to borrow not exceeding fifty thousand dollars from the State Sinking Fund, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional school facilities. The amount borrowed shall be evidenced by notes to be executed by each member of the board of trustees of School District No. 5 of Florence County and by the treasurer of Florence County. The notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

**SECTION 2. Payment.**—For the payment of the note or notes, the auditor of Florence County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

**An Act To Authorize The Governing Board Of Florence County And The County Treasurer To Borrow A Sum Of Money For The Purpose Of Furnishing Florence County's Share Of The Construction Cost Of The Florence-Darlington Technical Education Center.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Florence County may borrow money.**—The governing board of Florence County and the county treasurer may borrow, for the purpose of furnishing Florence County's share of the construction cost of the Florence-Darlington Technical Education Center, a sum not exceeding two hundred twenty-five thousand dollars from the Division of Sinking Funds and Property or other sources. The amount borrowed shall be evidenced by a note to be executed by the chairman of the governing board of Florence County and the treasurer of the county. The note shall bear interest not to exceed four per cent per annum from the date thereof and shall be payable in five successive equal annual installments. The first installment shall be paid twelve months from the date of the note. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date. The sum so borrowed shall be made upon voucher to the Florence-Darlington Technical Education Commission by the treasurer with the authorization of the governing board. *Provided*, further, the funds borrowed under the provisions of this act shall be expended for the purposes prescribed therein only.

**SECTION 2. Payment.**—For the payment of the note, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should the money be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

(R329, H1641)

## No. 529

**An Act To appropriate The Sum Of Seventy-Two Thousand Nine Hundred Twenty-Four Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1963-1964; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget of School Expenses, And To Prohibit Expenditures In Excess Of Such Budgets.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The sum of seventy-two thousand nine hundred twenty-four dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1963-1964, and a tax of three and one-half mills to raise the sum is hereby levied upon all taxable property of Florence County, which sum shall be expended for the following purposes :

|            |                                      |              |
|------------|--------------------------------------|--------------|
| Item I.    | Textbooks .....                      | \$ 41,614.00 |
| Item II.   | Circulating Library .....            | 5,200.00     |
| Item III.  | Supplies .....                       | 500.00       |
| Item IV.   | County Board Expense .....           | 1,500.00     |
| Item V.    | County Superintendent's Office ..... | 5,700.00     |
| Item VI.   | County Superintendent .....          | 3,750.00     |
| Item VII.  | Caterers .....                       | 11,160.00    |
| Item VIII. | Hot Lunches—Needy Cases .....        | 3,500.00     |

Total .....\$ 72,924.00

**SECTION 2.** In order to carry out the purposes of this act and for the operation of schools in Florence County, the board of education for the county is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the

terms and conditions under which bids shall be received. The proceeds of any loan obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall provide the county treasurer collateral for the same as provided by the county appropriation act.

**SECTION 3.** The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the board of education for the county for its examination and approval. No budget shall be approved by the county board of education in excess of the revenues provided for the operation of the schools in any such school district and no claim against any district shall be approved for payment by the county superintendent of education in excess of funds on the approved budget. The county board of education has the authority to spend for the benefit of the schools any unallocated funds or any accumulation of funds under any item of Section 1 of this act.

**SECTION 4.** This act is intended to be in addition to, and not in conflict with, any of the provisions of the Annual County Appropriation Act of Florence County for the fiscal year 1963-1964.

**SECTION 5.** This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R420, H1302)

**No. 530**

**An Act To Authorize School District No. 2 Of Florence County To Borrow Not Exceeding Ninety Thousand Dollars And To Provide For The Payment Of Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School District 2 of Florence County may borrow money.**—The board of trustees of School District No. 2 of Florence County, and the county treasurer of Florence County, are hereby authorized to borrow not exceeding ninety thousand dollars from the State Sinking Fund, or any other lending agency at the

lowest interest rate available, for the purpose of constructing additional school facilities. The amount borrowed shall be evidenced by notes to be executed by the chairman of the board of trustees of School District No. 2 and the treasurer of Florence County. The notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

**SECTION 2. Payment.**—For the payment of the note or notes the board of trustees of School District No. 2 and the county treasurer of Florence County shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

**SECTION 3. Payment further.**—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the auditor of Florence County shall levy, and the treasurer of Florence County shall collect, an annual tax upon all of the taxable property of School District No. 2 of Florence County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

**SECTION 4. Time effective.**—This act shall take effect on July 1, 1963 upon approval by the Governor.

Approved the 24th day of May, 1963.

**An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964; To Provide For The Expenditure Thereof; And To Levy A Tax For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following sums of money are hereby appropriated for the purposes herein set forth for the County of Florence for the period beginning July 1, 1963, and ending June 30, 1964, inclusive, and the Auditor of Florence County is hereby authorized to levy, and the Treasurer to collect, for the calendar year 1963 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same;

Item 1. Roads, Bridges and Chain Gang :

|  |              |
|--|--------------|
| (a) Gasoline, fuel, fuel oil, oil and grease .....   | \$ 30,000.00 |
| (b) Labor .....  | 78,795.00    |
| (c) Food and Clothing .....  | 65,000.00    |
| (d) Supplies, lumber, hardware, repairs, electricity,<br>telephone and incidentals .....   | 40,000.00    |
| (e) Hospitalization, drugs, medicines, special medical<br>treatment and veterinarian .....   | 2,500.00     |
| (f) County Physician .....   | 2,400.00     |
| <i>Provided</i> , the county physician shall be one of<br>the examining physicians in all lunacy examina-<br>tions conducted in Florence County. |              |
| (g) Custodian of the records of the county chain<br>gang, to be assigned such other duties as the<br>county manager may desire performed .....   | 2,640.00     |
| <i>Provided</i> , that all payments from items (a)<br>through (g), inclusive, shall be made by voucher<br>and not by cash.                       |              |
| (h) Repairs to equipment .....   | 80,000.00    |
| (i) Pipe for bridges .....   | 30,000.00    |
| (j) New Equipment .....  | 37,000.00    |
| (k) Cold patch materials .....   | 3,000.00     |

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Total, Item 1 .....\$371,335.00

Item 2. Governing Board: ..

|  |             |
|--|-------------|
| (a) Chairman, Governing Board .....  | \$ 2,400.00 |
| (b) Six members, Governing Board .....   | 12,000.00   |
| <i>Provided</i> , that the Commissioners are authorized<br>and requested to assist the County Manager in<br>maintaining the county roads and in constructing |             |

and in paving farm-to-market roads in their respective districts.

|  |           |
|--|-----------|
| (c) Expenses and mileage, Governing Board, seven members @ \$75.00 per month ..... | 6,300.00  |
| (d) Clerk to Board .....   | 3,600.00  |
| (e) Assistant Clerk to Board .....   | 3,400.00  |
| (f) County Manager .....   | 7,700.00  |
| (g) County Attorney .....  | 2,200.00  |
| (h) Courthouse—heat, lights, etc. ....   | 10,000.00 |
| (i) Courthouse Janitor .....   | 2,880.00  |
| (j) Printing and Postage .....   | 7,200.00  |
| (k) Premium on Bonds .....   | 1,000.00  |

*Provided*, that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, such undertakings to be approved by the governing board of the county, and the cost of the bonds to be borne by the above item of one thousand dollars.

|   |           |
|---|-----------|
| (l) Miscellaneous Funds .....   | 6,800.00  |
| <i>Provided</i> , that \$800.00 of the foregoing sum shall be allocated to County Manager's Expenses. |           |
| (m) Secretary for Legislative Delegation .....  | 1,650.00  |
| (n) Social Security—Administration .....  | 14,500.00 |
| (o) S. C. Retirement System .....   | 26,000.00 |
| (p) Office expense, Florence Magistrate .....   | 600.00    |
| (q) Delegation office expense .....   | 600.00    |
| (r) Delegation members, expenses, county-wide business .....  | 5,000.00  |

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Total, Item 2 .....\$113,830.00

Item 3. Sheriff's Office:

|   |             |
|---|-------------|
| (a) Sheriff, salary .....   | \$ 7,700.00 |
| <i>Provided</i> , that the deputies serving any civil process shall receive mileage fees paid therefor by parties securing service. |             |
| (b) Radio Equipment and maintenance, Sheriff's Office .....   | 850.00      |
| (c) Nine deputy Sheriffs @ 275.00 each per month .....  | 29,700.00   |

|   |              |
|---|--------------|
| (d) Travel expense, nine deputies @ \$200.00 per month .....  | 21,600.00    |
| (e) Fingerprint Deputy .....  | 2,280.00     |
| <i>Provided</i> , he shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence.               |              |
| (f) Clerk to Sheriff .....  | 3,000.00     |
| (g) Office expense for Sheriff .....  | 1,200.00     |
| (h) Radio Repairman .....   | 1,050.00     |
| <hr/>   |              |
| Total, Item 3 .....   | \$ 67,380.00 |
| Item 4. Treasurer's Office:   |              |
| (a) Treasurer, Salary .....   | \$ 3,630.00  |
| <i>Provided</i> , that in addition thereto the Treasurer shall be entitled to fifty per cent of all monies received on account of tax executions. |              |
| (b) Treasurer's Clerks (2) .....  | 6,540.00     |
| (c) Expenses, mailing tax notices .....   | 4,500.00     |
| (d) Interest, Courthouse Bonds .....  | 80.00        |
| (e) Courthouse Bonds .....  | 2,000.00     |
| (f) Principal and interest — Florence-Darlington Technical Education Committee obligation ....  | 54,000.00    |
| <hr/>   |              |
| Total, Item 4 .....   | \$ 70,750.00 |
| Item 5. Magistrates:  |              |
| Magistrate—Florence .....   | \$ 4,290.00  |
| Clerk to Magistrate—Florence .....  | 3,000.00     |
| Magistrate—Timmons ville .....  | 2,750.00     |
| Clerk to Magistrate—Timmons ville .....   | 1,200.00     |
| Magistrate—Lake City .....  | 2,750.00     |
| Clerk to Magistrate—Lake City .....   | 2,002.00     |
| Magistrate—Pee Dee and Hannah .....   | 1,342.00     |
| Magistrate—Evergreen .....  | 1,980.00     |
| Magistrate—Olanta .....   | 2,750.00     |
| Magistrate—Johnsonville .....   | 1,980.00     |
| Magistrate—Pamplico .....   | 1,980.00     |
| Magistrate—Coward .....   | 1,650.00     |
| <hr/>   |              |
| Total, Item 5 .....   | \$ 27,674.00 |

## Item 6. Constables:

|                                    |             |
|------------------------------------|-------------|
| Two Constables—Florence .....      | \$ 6,600.00 |
| Constable—Timmons ville .....      | 2,750.00    |
| Constable—Pamplico .....           | 1,980.00    |
| Constable—Olanta .....             | 2,750.00    |
| Constable—Lake City .....          | 2,750.00    |
| Constable—Evergreen .....          | 1,980.00    |
| Constable—Johnsonville .....       | 1,980.00    |
| Constable—Pee Dee and Hannah ..... | 1,342.00    |
| Constable—Coward .....             | 1,650.00    |

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Total, Item 6 .....\$ 23,782.00

## Item 7. Coroner's Office:

|  |             |
|--|-------------|
| (a) Coroner, Salary .....  | \$ 2,400.00 |
| (b) Stenographic assistance, travel expense for<br>Coroner ..... | 1,980.00    |
| (c) Coroner's expense for performance of autopsies<br>only ..... | 1,000.00    |

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Total, Item 7 .....\$ 5,380.00

## Item 8. Judge of Probate's Office:

|  |             |
|--|-------------|
| (a) Judge of Probate—Lunacy examinations and<br>Juvenile cases ..... | \$ 1,800.00 |
| (b) Clerk to Judge of Probate .....                                  | 3,346.50    |
| (c) Juvenile Court Case Worker .....                                 | 2,841.00    |

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Total, Item 8 .....\$ 7,987.50

## Item 9. Auditor's Office:

|  |             |
|--|-------------|
| (a) Auditor, Salary .....  | \$ 3,630.00 |
| (b) Auditor, Travel .....  | 300.00      |
| (c) Assistant Auditor .....  | 3,600.00    |
| (d) Chief Clerk .....  | 3,300.00    |
| (e) Clerk .....  | 2,800.00    |
| (f) Extra Clerical Help .....  | 2,600.00    |
| (g) County Board of Equalization (\$10.00 per diem<br>for each member) ..... | 4,000.00    |

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Total, Item 9 .....\$ 20,230.00

## Item 10. County Jail:

|                                   |             |
|-----------------------------------|-------------|
| (a) County Jailer .....           | \$ 3,130.00 |
| (b) Assistant County Jailer ..... | 3,267.00    |
| (c) Jail—Dieting Prisoners .....  | 10,000.00   |

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Total, Item 10 .....\$ 16,397.00

## Item 11. County Agent's Office:

|  |             |
|--|-------------|
| (a) County Agent, salary supplement .....  | \$ 1,200.00 |
| (b) Assistant County Agents—three @ \$360.00,<br>salary supplement .....                         | 1,080.00    |
| (c) County Agent—for promotion of Pee Dee<br>Farmarama .....                                     | 500.00      |
| (d) Home Demonstration Agent, salary supplement .....  | 350.00      |
| (e) Home Demonstration Agent, telephone .....  | 175.00      |
| (f) Home Demonstration Agent, supplies .....   | 250.00      |
| (g) Assistant Home Demonstration Agent, salary ..  | 2,640.00    |
| (h) 4-H Club Work .....  | 200.00      |
| (i) J. H. A. (Junior Homemakers) .....   | 200.00      |
| (j) Negro Agricultural Agent, salary supplement ..   | 462.00      |
| (k) Assistant Negro Agricultural Agent, salary sup-<br>plement .....                             | 360.00      |
| (l) Negro Agricultural Agent, demonstrational ma-<br>terials .....                               | 50.00       |
| (m) Negro Home Demonstration Agent, salary sup-<br>plement .....                                 | 792.00      |
| (n) Assistant Negro Home Demonstration Agent,<br>salary .....                                    | 2,400.00    |
| (o) Secretary to serve four Negro County Agents,<br>salary .....                                 | 1,800.00    |
| (p) 4-H Club activities—Negro Agricultural Agent ..  | 200.00      |
| (q) Negro Home Demonstration Agent, demonstra-<br>tional materials and telephone .....           | 274.76      |
| (r) Agricultural Building, expense .....   | 3,000.00    |
| <i>Provided, the rents from the Agricultural Build-<br/>ing shall be applied on maintenance.</i> |             |

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Total, Item 11 .....\$ 15,933.76

## Item 12. Charities:

|   |             |
|---|-------------|
| (a) Florence County Department of Public Welfare: |             |
| Local Administration .....                        | \$ 1,200.00 |
| Child Welfare Unit .....                          | 1,920.00    |

|   |          |
|---|----------|
| Boarding home care for children in foster homes | 300.00   |
| Emergency Fund .....                            | 2,300.00 |
| Salary supplements .....                        | 2,600.00 |
| Board members .....                             | 1,800.00 |

*Provided*, that members of the board of the Department of Public Welfare shall receive the sum of \$50.00 per month and shall be required to meet at least once each week to conduct the business and supervise the functions of the Welfare Department.

|  |           |
|--|-----------|
|  | 10,120.00 |
| (b) Charity Hospital Cases .....   | 24,000.00 |
| <i>Provided</i> , that this amount shall be apportioned and disbursed in twelve monthly installments not to exceed two thousand dollars per installment. |           |
| <i>Provided</i> , further, that none of these funds shall be expended on cases outside of Florence County.   |           |
| (c) Medicine for charity cases, to be disbursed upon recommendation of attending physician .....   | 2,500.00  |
| (d) Salvation Army .....   | 1,500.00  |
| (e) Foster Children's Home .....   | 5,000.00  |
| (f) Foster Home, Negro Children .....  | 4,000.00  |
| (g) Repairs and maintenance—Negro Foster Home  | 717.90    |
| (h) Needy Orphan Children .....  | 1,980.00  |

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Total, Item 12 .....\$ 49,817.90

Item 13. (a) County Health Department:

|   |             |
|---|-------------|
| Health Officer, salary supplement ..... | \$ 4,027.00 |
| Health Officer, travel .....            | 1,080.00    |
| Chief Sanitarian, travel .....          | 1,080.00    |
| Assistant Sanitarian, travel .....      | 1,080.00    |
| Health Educator, salary .....           | 4,963.00    |
| Health Educator, travel .....           | 1,080.00    |
| Public Health Nurse IV, travel .....    | 1,080.00    |
| Public Health Nurse II, salary .....    | 4,184.00    |
| Public Health Nurse II, travel .....    | 1,080.00    |
| Public Health Nurse II, salary .....    | 4,184.00    |
| Public Health Nurse II, travel .....    | 1,080.00    |
| Public Health Nurse II, travel .....    | 1,080.00    |

|  |          |
|--|----------|
| Public Health Nurse II, travel .....                 | 1,080.00 |
| Public Health Nurse II, salary .....                 | 4,002.00 |
| Public Health Nurse II, travel .....                 | 1,080.00 |
| Public Health Nurse II, salary .....                 | 4,002.00 |
| Public Health Nurse II, travel .....                 | 1,080.00 |
| Public Health Nurse I, salary .....                  | 3,911.00 |
| Public Health Nurse I, travel .....                  | 1,080.00 |
| Public Health Nurse I, salary .....                  | 3,729.00 |
| Public Health Nurse I, travel .....                  | 1,080.00 |
| Public Health Nurse I, salary .....                  | 3,729.00 |
| Public Health Nurse I, travel .....                  | 1,080.00 |
| Public Health Nurse I, salary .....                  | 3,547.00 |
| Public Health Nurse I, travel .....                  | 1,080.00 |
| Clerk II and X-ray technician, salary .....          | 3,378.00 |
| Contingent Fund .....                                | 4,000.00 |
| Maintenance, Florence County Health Department ..... | 4,000.00 |
| Maintenance, Lake City Health Center .....           | 1,500.00 |
| Maintenance, Johnsonville Health Center .....        | 500.00   |
| Maintenance, Olanta Health Center .....              | 500.00   |
| Maintenance, Pamplico Health Center .....            | 500.00   |
| Maintenance, Timmons ville Health Center ...         | 500.00   |
| Tuberculosis Drugs .....                             | 2,000.00 |

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\$ 73,356.00

*Provided*, that the amounts herein enumerated for salary shall be paid in monthly payments according to a schedule which shall be approved by the County Board of Health and filed by the County Health Officer in the office of the Governing Board.

*Provided*, further, that no items listed for maintenance and contingencies shall be expended without written approval of the County Board of Health, said approval to be prior to the submission of vouchers to the county Governing Board.

*Provided*, further, that the amounts herein enumerated for travel shall be expended only upon written approval of the County Board of Health, at the rate of nine cents per mile so

traveled, monthly, said approval to be prior to the submission of vouchers to the County Governing Board, not to exceed the amount so appropriated.

*Provided*, further, that the County Health Officer shall act with the County Physician in all lunacy examinations and shall administer and give all smallpox vaccinations and anti-typhoid serum, in addition to all general duties of the County Health Officer.

*Provided*, further, that the sum enumerated for tuberculosis drugs shall be utilized for out-patient treatment.

*Provided*, further, that one Public Health Nurse shall be assigned to the Health Center at Johnsonville on a regular schedule to be approved by the County Board of Health.

(b) Mental Health Clinic ..... 15,238.33

*Provided*, that matching funds are supplied by the State of South Carolina, the Federal Government and Darlington County on the same ratio as in the past in an amount sufficient to demand this expenditure.

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Total, Item 13 ..... \$ 88,594.33

Item 14. National Guard Units:

(a) Lake City National Guard ..... \$ 1,200.00  
 (b) Florence National Guard ..... 1,400.00  
 (c) Timmons ville National Guard ..... 980.00  
 (d) Timmons ville National Guard—wall lockers.. 1,200.00

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Total, Item 14 ..... \$ 4,780.00

Item 15. Courts:

(a) Civil Court of Florence—jurors and expenses \$ 10,000.00  
 (b) Civil Court Stenographer ..... 3,904.00  
 (c) Contingent Fund for Civil Court ..... 200.00  
 (d) Jurors and Witnesses, Circuit Court ..... 25,000.00  
 (e) Expenses, Stenographer, Court of Common  
     Pleas and General Sessions ..... 400.00  
 (f) Vital Statistics ..... 1,125.00

*Provided*, that the Clerk of Court shall receive from those applying for birth and death certificates the sum of fifty cents each as compensation for indexing and furnishing birth and death certificates.

(g) Master in Equity ..... 6,000.00

*Provided*, that the Master shall collect the fees and costs as now provided for, keep an account of all fees and costs, and on or before the tenth day of each calendar month he shall deliver an itemized statement of such collection to the County Treasurer, together with the payment to the Treasurer of fifty per cent of all fees collected during the preceding calendar month.

(h) Clerk ..... 3,000.00

(i) Probation Officer ..... 330.00

(j) Clerk to Probation Officer ..... 330.00

(k) Phone for Probation Officer ..... 121.80

(l) Expenses, Resident Circuit Judge ..... 1,500.00

(m) Clerk — Resident Circuit Judge — Florence  
County share ..... 1,260.00

(n) Maintenance of County Law Library ..... 1,500.00

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Total, Item 15 ..... \$ 54,670.80

Item 16. Secretary, County Service Officer ..... \$ 1,760.00

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Total, Item 16 ..... \$ 1,760.00

Item 17. Expenses, County Service Officer ..... \$ 400.00

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Total, Item 17 ..... \$ 400.00

Item 18. Election Commission ..... 450.00

*Provided*, this sum is to be paid for expenses and mileage, and is to be paid quarterly.

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Total, Item 18 ..... \$ 450.00

Item 19. Florence County Higher Education Commission ..... \$ 17,458.00

*Provided*, that all fees charged by the University of South Carolina for any purpose shall be paid for by the tuition of the students enrolled in the

University of South Carolina Extension Branch  
at Florence.

|  |              |
|--|--------------|
| Total, Item 19 .....   | \$ 17,458.00 |
| Item 20. Florence County Historical Commission .....   | \$ 7,500.00  |
| Total, Item 20 .....   | \$ 7,500.00  |
| Item 21. County Recreation Department:   |              |
| (a) Director's Salary .....  | \$ 5,280.00  |
| (b) Director's Travel .....  | 1,200.00     |
| (c) Office Expenses and Postage .....  | 310.00       |
| (d) Officiating .....  | 125.00       |
| (e) Program Supplies .....   | 1,500.00     |
| (f) Program Activities .....   | 2,000.00     |
| (g) Contingent Fund .....  | 65.00        |
| (h) Maintenance and construction of lighting facilities .....  | 850.00       |
| (i) Summer helper .....  | 650.00       |
| (j) Summer helper—travel .....   | 100.00       |
| Secretary .....  | 350.00       |
| Total, Item 21 .....   | \$ 12,430.00 |
| Item 22. Insurance on County Employees .....   | \$ 3,200.00  |
| Total, Item 22 .....   | \$ 3,200.00  |
| Item 23. Insurance on County Buildings .....   | \$ 1,200.00  |
| Total, Item 23 .....   | \$ 1,200.00  |
| Item 24. Workmen's Compensation Premiums .....   | \$ 4,000.00  |
| Total, Item 24 .....   | \$ 4,000.00  |
| Item 25. Annual Audit of County .....  | \$ 2,750.00  |
| <i>Provided</i> , that ALL offices in Courthouse shall be audited, such audit to include all moneys received by such offices, including fines, fees and collections. |              |
| Total, Item 25 .....   | \$ 2,750.00  |

|   |                |
|---|----------------|
| Item 26. Expenses for County Game Wardens . . . . .   | \$ 1,200.00    |
| <i>Provided</i> , that the same be disbursed at the rate<br>of \$50.00 per month each for the Game War-<br>dens at Johnsonville and Olanta.                           |                |
| Total, Item 26 . . . . .  | \$ 1,200.00    |
| Item 27. County Ranger . . . . .  | \$ 300.00      |
| Total, Item 27 . . . . .  | \$ 300.00      |
| Item 28. Lake City Rescue Squad . . . . .   | \$ 700.00      |
| Total, Item 28 . . . . .  | \$ 700.00      |
| Item 29. Florence County Registration Board . . . . .   | \$ 1,000.00    |
| Total, Item 29 . . . . .  | \$ 1,000.00    |
| Item 30. Civil Defense Director—Federal matching funds \$   | 5,200.00       |
| <i>Provided</i> , that the Director shall receive a salary<br>of \$6,000 and that the same shall be pro rata<br>shared by the existing State Civil Defense<br>Agency. |                |
| Civil Defense Director—Travel . . . . .   | 900.00         |
| Contingent Fund for purchase of Civil Defense<br>Equipment . . . . .  | 800.00         |
| Radios, RACES, Radio Network (10) . . . . .   | 2,500.00       |
| Total, Item 30 . . . . .  | \$ 9,400.00    |
| Item 31. Civil Air Patrol, Florence . . . . .   | \$ 1,000.00    |
| Total, Item 31 . . . . .  | \$ 1,000.00    |
| Item 32. Capital Improvements Contingent Fund . . . . .   | \$100,000.00   |
| Total, Item 32 . . . . .  | \$100,000.00   |
| GRAND TOTAL . . . . .   | \$1,103,290.29 |

**SECTION 2.** The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

**SECTION 3.** Such officers of the County of Florence as are charged with the expenditure or disbursement of the above appropriations

shall state upon each warrant drawn upon the county treasurer the item in the Appropriations Act on account of which the warrant shall have been drawn, and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements; *provided*, the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1963. *Provided*, further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of the board shall be sufficient.

**SECTION 4.** The governing board shall award this loan to the lowest bona fide bidder, advertising for open bids in one or more newspapers published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided*, the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided*, further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of such funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the county board and are being held in trust for the County of Florence to secure such deposit. *Provided*, further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided*, further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

**SECTION 5.** All road machinery, plows, equipment, and supplies to be purchased by the County of Florence from the funds herein

appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department, or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which advertisement shall designate the time and place at which the bids will be opened, and the said bids shall be publicly opened at the time and place designated in the advertisement. *Provided*, further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly. *Provided*, further, the County Manager shall be allowed to purchase supplies up to and not exceeding \$500.00 without bids.

**SECTION 6.** No purchase shall be made for Florence County of any kind whatsoever from any members of the governing board or legislative delegation, or any relative of any member of the governing board or legislative delegation within the sixth degree, nor shall any member of the governing board or legislative delegation, or person related to a member of the governing board or legislative delegation within the sixth degree, enter into any contract by or with the County of Florence.

**SECTION 7.** The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence County from the delinquent tax collector, and the auditor of the county shall record the transfer thereof without charge, in part consideration of the compensation now received by these officers.

**SECTION 8.** This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R260, S298)

**No. 532**

**An Act Directing The Georgetown County Board Of Commissioners To Convey Certain Lands To The Georgetown County Development Commission.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Georgetown County may convey certain property.**—In consideration of the sum of one dollar, the Georgetown County

Board of Commissioners is directed to convey the following property to the Georgetown County Development Commission:

(a) Fifty-five and three-tenths (55.3) acres of land lying partially within and partially without the City of Georgetown, in the County of Georgetown shown on a map by Samuel M. Harper, R.L.S. entitled "Map showing property owned by Georgetown County", dated 21 March 1963, recorded in Georgetown County in Plat Book Q at page 6.

(b) One hundred sixty-four and five-tenths (164.5) acres of land lying in Georgetown County shown on a tracing of a plat entitled "Map of 191 1/2 acres in Georgetown County" dated October 26, 1937 recorded in Georgetown County in Plat Book Q at page 5.

(c) Thirty-four and five-tenths (34.5) acres of land in Georgetown County shown on a map by Samuel M. Harper, R.L.S., dated February 1955 entitled "Map of 34.5 acres, being a part of the airport tract" recorded in Georgetown County in Plat Book Q at page 4.

**SECTION 2. Execution of deed.**—The deed shall be executed by the chairman of the board after a resolution duly passed by the board.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1963.

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(R292, H1548)

**No. 533**

**An Act To Authorize The Chairman Of The County Board Of Commissioners And The County Treasurer Of Georgetown County To Borrow Not Exceeding Two Hundred And Twenty Thousand Dollars For County Purposes And To Provide For The Repayment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Georgetown County may borrow money.**—The Chairman of the County Board of Commissioners and the County Treasurer of Georgetown County are hereby authorized to borrow not exceeding two hundred and twenty thousand dollars to be used for the following county purposes: (a) Financing the operation of the Georgetown County Board of Assessors in insti-

tuting and implementing a program of re-assessment and re-evaluation; (b) Construction of a County Agricultural Building on land presently owned by the county; and (c) Purchase from the heirs of J. M. Ringel of that certain piece of real property situate in the City of Georgetown on the east side of Screven Street between Front Street and Prince Street. The money borrowed shall be secured by a note executed on behalf of the county by the chairman of the county board of commissioners and the county treasurer. The note shall bear interest at the lowest available rate, shall be payable in ten equal annual installments of principal and interest, the first installment shall be due twelve months from the date of the note, and the borrowers shall reserve the right to anticipate payment in whole or in part.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and the interest due thereon, and the entire proceeds of the levy shall be applied to the payment of the loan, including interest. The levy shall terminate when the note has been paid in full.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Exempt from taxes.**—The principal and interest on any note issued pursuant to this act shall be tax exempt as provided by Section 65-4.1 of the 1962 Code.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

**An Act To Authorize The Georgetown County Board Of Commissioners For The County Of Georgetotwn To Approve The Transaction Between The County Of Georgetown And The International Paper Company For The Acquisition Of Real Property Of The International Paper Company, Subject To Covenants And Agreements Running With The Land, And To Convey The Land Thereafter To The Georgetown County Development Commission Subject To Such Covenants And Agreements.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Georgetown County may acquire property from International Paper Company.**—The Georgetown County Board of Commissioners is hereby empowered to acquire for the County of Georgetown the real property described and delineated in Section 3 of this act from The International Paper Company, and to execute an indenture deed for the county in reference thereto containing the covenants and agreements running with the land, the exchange of certain county real property, and additional covenants and agreements on the part of the county, all as the consideration heretofore agreed upon between the county and the company.

**SECTION 2. To convey property to development commission.**—After the acquisition the county board of commissioners, by deed executed, sealed and delivered for and in the name of the County of Georgetown shall vest title to the real property, described and delineated in Section 3 of this act, in the Georgetown County Development Commission subject to the covenants and agreements running with the land set forth in the indentured deed.

**SECTION 3. Property description.**—The real property herein authorized to be acquired for the County of Georgetown, and thereafter to be conveyed to the development commission is described and delineated as follows :

All that certain piece, parcel or tract of land situate, lying and being on the North side of the Seaboard Air Line Railroad Tracks running between Georgetown and Andrews in the County of Georgetown and State of South Carolina, measuring and containing four hundred (400) acres, more or less, according to a map of a 748 acre tract owned by International Paper Company and proposed to be developed into an Industrial Park, made by Samuel M. Harper, R. L. S., dated August 1961, the tract hereby conveyed being more particularly described according to said Map as follows : Commencing at the Southeastern corner thereof on the Seaboard Air Line Railway Right-of-Way, and running thence N 0 degrees 10 minutes W 11.80 chains to a point ; thence N 0 degrees 10 minutes West 7.13 chains to a point ; thence N 7 degrees 20 minutes E 2 chains to a point, being the Northeastern corner of the tract hereby conveyed ; thence N 71 degrees 30 minutes W 196.00 chains more or less, to Walker Road ; thence following the Eastern boundary of the Walker Road in a

Southerly direction 21.00 chains, more or less, to the right-of-way of the Seaboard Air Line Railroad; thence S 71 degrees 30 minutes E 119.00 chains, more or less, to a point; thence at right angles S 18 degrees 30 minutes W 0.53 chains to a point; thence S 71 degrees 30 minutes E 91.50 chains to the point of beginning; Butting and Bounding to the North on other lands of International Paper Company, East by lands of Ervin Elliott and C. B. Robinson, South by the Right-of-Way of the Seaboard Air Line Railroad and West by the Eastern boundary of Walker Road, which separates the tract hereby conveyed from other lands of International Paper Company.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

(R512, H1634)

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**No. 535**

**An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1963, Through June 30, 1964; To Provide For The Expenditure Thereof; To Set The Limits Of Certain Waters In The County; To Provide For Certain Fiscal Affairs Of The County; And To Add Section 65-3522 To The 1962 Code, So As To Provide Penalties On Unpaid Taxes In The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** In order to provide the sums appropriated herein for the respective purposes hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County, for the fiscal year beginning July 1, 1963, and ending June 30, 1964, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy with the approval of a majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

|                              |              |
|------------------------------|--------------|
| Roads and Bridges .....      | \$120,000.00 |
| Clerk of Court, Salary ..... | 7,000.00     |

|   |           |
|---|-----------|
| Deputy Clerk of Court, Salary .....                                     | 3,600.00  |
| Clerk to Clerk of Court, Salary .....                                   | 3,000.00  |
| Clerk to Clerk of Court, Salary .....                                   | 990.00    |
| Sheriff, Salary .....   | 7,000.00  |
| Sheriff, Travel Allowance .....   | 2,722.50  |
| Deputy Sheriffs, Salaries .....   | 35,565.00 |
| Deputy Sheriffs, Travel Allowance .....                                 | 21,575.00 |
| For use by Sheriff for investigating purposes ..                        | 1,500.00  |
| Clerk to Sheriff, Salary .....  | 3,600.00  |
| Jailor .....  | 3,900.00  |
| Assistant Jailor and Radio Operator .....                               | 3,000.00  |
| Treasurer, sufficient with amount paid by State to total 7,000.00 ..... | 3,152.00  |
| Clerk to Treasurer, Salary .....  | 3,600.00  |
| Clerk to Treasurer, Salary .....  | 3,200.00  |
| Part-time Clerk to Treasurer .....                                      | 550.00    |
| Auditor, sufficient with amount paid by State to total \$7,000.00 ..... | 3,152.00  |
| Tax Assessor, Salary .....  | 4,200.00  |
| Tax Assessor, Mileage .....   | 1,320.00  |
| Clerk to Auditor, Salary .....  | 3,600.00  |
| Tax Accounting Clerk .....  | 3,600.00  |
| Clerk to Auditor and Treasurer, Salary .....                            | 3,000.00  |
| County Commissioners, per diem and mileage ..                           | 2,000.00  |
| Chairman, Board of Commissioners, Salary ....                           | 3,000.00  |
| County Service Officer, Salary .....                                    | 4,500.00  |
| County Service Officer, Travel .....                                    | 1,100.00  |
| Clerk to Service Officer, Salary .....                                  | 3,600.00  |
| Coroner, Travel .....   | 699.60    |
| Attorney .....  | 1,000.00  |
| Judge of Probate, Salary .....  | 6,000.00  |
| Deputy Judge of Probate and Clerk .....                                 | 3,600.00  |
| Clerk .....   | 3,000.00  |
| Magistrate, Georgetown, Salary .....                                    | 4,190.00  |
| Clerk to Magistrate, Georgetown .....                                   | 300.00    |
| Magistrate, Andrews, Salary .....                                       | 1,650.00  |
| Constable, Andrews, Salary .....  | 600.00    |
| Magistrate, Nos. 5 and 6 Townships, Salary ..                           | 1,650.00  |
| Constable, Nos. 5 and 6 Townships, Salary ....                          | 600.00    |
| Magistrate, Pawley's Island, Salary .....                               | 1,320.00  |

|  |           |
|--|-----------|
| Constable, Pawley's Island, Salary .....                       | 600.00    |
| Magistrate, Murrels Inlet, Salary .....                        | 1,320.00  |
| Constable, Murrels Inlet, Salary .....                         | 600.00    |
| Tax Commission and Board of Appeals .....                      | 2,500.00  |
| Jail Expenses .....  | 12,000.00 |
| Jurors and Witnesses .....                                     | 15,000.00 |
| Emergency Funds, Dept. of Public Welfare ..                    | 2,500.00  |
| Poor .....   | 5,000.00  |
| Administrative Expenses, Dept. of Public Wel-<br>fare .....    | 1,500.00  |
| Post Mortems, Inquests and Lunacies .....                      | 1,000.00  |
| Public Buildings .....   | 20,000.00 |
| Printing, Postage and Stationery .....                         | 8,000.00  |
| County Health Department .....                                 | 11,564.00 |
| County Library .....   | 18,430.00 |
| Bonding County Officers .....                                  | 1,500.00  |
| Vital Statistics .....   | 400.00    |
| Telephone and Telegraph .....                                  | 2,000.00  |
| Special Contingent .....                                       | 40,000.00 |
| Georgetown County Planning and Development<br>Commission ..... | 15,000.00 |
| County Home Dem. Agent, Col., Travel .....                     | 825.00    |
| Clerk to County Home Dem. Agent, col. ....                     | 1,050.00  |
| Workmen's Compensation Insurance .....                         | 2,500.00  |
| Retirement Fund and Social Security .....                      | 18,000.00 |
| Hq. and Hq. Btry., 4th How. Bn 178th Arty<br>Georgetown .....  | 1,000.00  |
| A Btry, 4th Rkt. Bn 178th Atry., Andrews ...                   | 1,000.00  |
| Chairman, Board of Registration, Salary .....                  | 2,000.00  |
| Clerk, Board of Registration, Salary .....                     | 600.00    |
| Radio Maintenance .....  | 1,000.00  |
| Assistant Health Inspector .....                               | 1,675.00  |
| Clerical Help, Circuit Court Judge .....                       | 1,500.00  |

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Total .....\$471,700.10

**SECTION 2.** The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

**SECTION 3.** The sheriff of the county shall be allowed one dollar per day for dieting prisoners and he shall furnish them good, wholesome food.

**SECTION 4.** The sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

**SECTION 5.** The Senator and members of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered, and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

**SECTION 6.** The special contingent fund provided for in this act shall not be expended except upon the written order of the Senator and members of the House of Representatives from Georgetown County. In the event, however, of the death or resignation of any one or more of the members of the delegation the survivors shall have the right to execute any such order.

**SECTION 7.** It shall be unlawful for any person to gig for fish in salt waters from the northern tip of North Island to the northern tip of Magnolia Beach during the daylight hours. Any person violating the provisions of this section, upon conviction, shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than thirty days.

**SECTION 8.** Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper account.

**SECTION 9.** The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

**SECTION 10.** All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the of-

ficer or officers receiving such monies in their annual statement to the members of the legislative delegation.

**SECTION 11.** All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided*, that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

**SECTION 12.** Jurors serving in circuit courts in Georgetown County in this State shall, in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

**SECTION 13.** Whenever warrants are drawn in the county commissioner's office or the office of the board of education on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

**SECTION 14.** The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek, and the forty-mile limit on Big Pee Dee River is hereby declared to be at the old ferry landing near Yauhannah Lake.

**SECTION 15.** The county board of education may sell and convey properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided*, those properties belonging to the county board do not have a value of more than two thousand dollars.

**SECTION 16.** The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for the county airport who shall receive no salary for the services. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

**SECTION 17.** The county attorney shall render assistance and represent the sheriff's office when requested in all cases before magistrates in Georgetown County at no additional cost to the county. He shall not engage in any litigation or represent any interest contrary to Georgetown County or any agency or department thereof.

**SECTION 18.** Of the amount appropriated for Roads and Bridges in Section 1, the sum of ten thousand dollars shall be utilized and expended by the Drainage Commission for Georgetown County for drainage purposes.

**SECTION 19.** The board of education shall have the right to select and employ a competent attorney of its choice to represent it in all matters.

**SECTION 20.** The chairman of the board of registration shall be present and personally supervise the issuance of all registration certificates during those times that the registration books are open, as required by law, in the City of Georgetown.

## PART II

### Permanent Provisions

**SECTION 1.** The 1962 Code is amended by adding Section 65-3522 to read as follows:

“Section 65-3522. In Georgetown County taxes for the year ending December thirty-first and paid subsequent to that date shall bear the following penalties, to wit: If paid in January, one per cent penalty on the amount so paid; if paid in February, two per cent penalty on the amount so paid; if paid in March, three per cent penalty on the amount so paid; if paid in April, prior to April fifteenth, seven per cent penalty on the amount so paid. If such taxes are not paid before April fifteenth they shall be placed in execution with such other penalties and costs as are provided by law for taxes being placed in execution.”

### End of Part II

This act shall take effect upon approval by the Governor.  
Approved the 7th day of June, 1963.

**An Act To Authorize The Georgetown County Board Of Commissioners To Convey Certain Lands To The International Paper Company.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Georgetown County to convey property to International Paper Company.**—The Georgetown County Board of Commissioners is directed to convey that real estate described and delineated herein to the International Paper Company in consideration of certain lands conveyed to the County of Georgetown by the International Paper Company, notwithstanding any provision of law to the contrary:

One hundred sixty-four and five tenths (164.5) acres of land lying in Georgetown County shown on a tracing of a plat entitled "Map of 191 ½ acres in Georgetown County" dated October 26, 1937 recorded in Georgetown County in Plat Book Q at page 5.

**SECTION 2. Execution.**—The deed shall be executed by the chairman of the board after a resolution duly passed by the board.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R20, H1078)

**No. 537**

**An Act To Create The Greenville County Art Museum Commission And To Provide For Its Membership And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenville County Art Museum created—members—appointments—terms—vacancies.**—There is hereby created the Greenville County Art Museum Commission which shall be composed of five members who shall serve without pay. Three of the members shall be appointed by the Governor upon recommendation of the Greenville County Legislative Delegation from among residents residing without the City of Greenville, and two of the members shall be appointed by the Governor upon recommendation of the Greenville City Council from among residents of the City of Greenville. Members shall serve for terms of four years each with the initial terms commencing February 1, 1963. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term and

any member may be removed from office for cause by the appointing power.

**SECTION 2. Powers and duties.**—The commission shall exercise general control and management of the Greenville County Art Museum and shall have such specific duties and powers as may be provided by law.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

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(R103, H1263)

**No. 538**

**An Act To Authorize Wade Hampton Water And Sewer District In Greenville County To Issue Not Exceeding One Million Nine Hundred And Fifty Thousand Dollars Of General Obligation Bonds Of The Districts; To Prescribe The Terms And Conditions Upon Which The Bonds May Be Issued And Their Proceeds Expended, And To Provide A Tax Levy For Their Payment.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that heretofore by Act No. 854 of 1954 Wade Hampton Water and Sewer District, in Greenville County, South Carolina was created, and that it was therein provided that the district should be operated, managed and governed by a commission to be known as Wade Hampton Water and Sewer District Commission. It was likewise provided that the functions of the district should be the construction, operation and maintaining of a water distribution system, a sewer system, a system for the collection and disposal of garbage and a system for fire protection. The act authorized the issuance of general obligation bonds of the district in the principal amount of four hundred thousand dollars if the election required by the act resulted favorably.

The election prescribed by the act was held, resulted favorably, and pursuant to the authorizations of the act four hundred thousand dollars of bonds were issued and the proceeds used principally to pay the cost of establishing a water distribution system for the district.

The district, whose territory remains the same as originally set forth in the act, has continued to grow and general provision for sewage disposal is required. Engineers have been employed, who estimate that the cost of constructing adequate sewage disposal facilities will require an expenditure of one million nine hundred and fifty thousand dollars.

Heretofore, in order to obtain an expression from the electors in the district, the Commissioners of Election for Greenville County submitted to all qualified electors in the general election held on November 6, 1962, the following question: "Shall the Wade Hampton Water & Sewer District issue General Obligation Bonds of the District in a sum not to exceed \$1,950,000 to construct and establish a sewerage system in said District?" While the election so held was not authorized by statute, an aggregate of one thousand five hundred and eighty-three persons voted upon the question so submitted, of whom one thousand three hundred and fifty-four voted in favor, while two hundred twenty-nine voted against. The General Assembly is satisfied that the vote so taken reflects an adequate expression on the part of the qualified electors of the district and has, therefore, determined to make provision for the issuance of bonds of the district in the additional principal amount of one million nine hundred fifty thousand dollars without imposing as a condition precedent to their issuance the holding of an election.

**SECTION 2. Wade Hampton Water and Sewer District Commission may issue bonds.**—In order to obtain funds to be used for the purpose of constructing and acquiring adequate sewage disposal facilities in the district, Wade Hampton Water and Sewer District Commission is hereby authorized to issue, either as a single issue, or from time to time as several separate issues, not exceeding one million nine hundred fifty thousand dollars of general obligation bonds of the district.

**SECTION 3. Dates — maturity — where payable — redemption.**—The bonds shall bear such date as the commission shall determine and any issue or series thereof shall mature in such equal or unequal annual instalments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than five years from their date of issue and the last maturing bonds of any issue or series shall mature not later than thirty-five years from their date of issue. They shall be made payable at such place as the commission shall prescribe and

shall bear interest at such rate, payable semiannually, as the successful bidder at any sale thereof shall name; *provided*, that no rate of interest borne by any bond shall be in excess of five per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal by the Treasurer of Greenville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

**SECTION 4. Sale.**—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries and may be sold at public or private sale in the discretion of the commission.

**SECTION 5. Exempt from taxes.**—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522 of the 1962 Code.

**SECTION 6. Execution.**—The bonds shall be executed in the name of Wade Hampton Water and Sewer District by the chairman of the commission and the Treasurer of Greenville County, under the seal of the commission. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the chairman and the county treasurer who are in office on the date of the bonds. The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after execution or authentication.

**SECTION 7. Payment.**—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, resources and taxing power of Wade Hampton Water and Sewer District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Greenville County, respectively, an ad valorem tax upon all taxable property in Wade Hampton Water and Sewer District, without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the county treasurer

separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

**SECTION 8. Proceeds.**—The proceeds derived from the sale of these bonds shall be deposited with the county treasurer in a special fund separate and distinct from all other funds and shall be expended upon the order of Wade Hampton Water and Sewer District Commission for the following purposes and for no other :

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; and (b) the cost of constructing and acquiring adequate sewage disposal facilities in the district.

**SECTION 9. Powers to be additional.**—The power and authority hereby conferred upon the commission shall be in addition to all presently existing power and authority and not in abrogation thereof, and the action herein authorized shall not require the approval of any other agency or commission.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1963.

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(R134, H1371)

**No. 539**

**An Act To Amend An Act Of The General Assembly Of 1963, Bearing Ratification No. 20, Creating The Greenville County Art Museum Commission And Providing For Its Members And Their Duties, So As To Change The Name Of The Commission, To Alter The Method Of Appointment Of The Members And To Provide More Specifically For Their Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act 537 of 1963 amended—Greenville County Museum Commission created—members—appointments—terms—vacancies—powers and duties.**—An act of the General Assembly of 1963 bearing Ratification No. 20, creating the Greenville County Art

Museum Commission, is amended by striking Sections 1, 2 and 3 and inserting in lieu thereof five new sections, as follows:

"Section 1. There is hereby created the Greenville County Museum Commission which shall be composed of five members who shall serve without pay. Three of the members shall be appointed by a majority of the Greenville County Legislative Delegation, including the Senator, and shall reside without the City of Greenville. The other two members shall be appointed by the Mayor and members of the Greenville City Council from among residents of the City of Greenville. The members of the commission appointed by the Governor in accordance with the original act shall serve out the terms of their appointment, but all vacancies and appointments for new terms shall be made in accordance with the act as amended. All appointments shall be for a period of four years, each with the initial terms commencing March 1, 1963. Any vacancy shall be for the unexpired portion of the term and any member may be removed from office for cause by the appointing power, which is to say that any member appointed by the Mayor and members of the City Council of Greenville could be removed for cause by the Mayor and the City Council of the City of Greenville, and any member appointed by the Greenville County Legislative Delegation, including the Senator, could be removed for cause by the Greenville County Legislative Delegation, including the Senator.

Section 2. The commission shall exercise general control and management of the Greenville County Museum, and shall have the authority to procure and purchase books, documents, transcripts of documents and other historical materials, paintings, museum pieces, sculptures, and other historical and artistic objects and materials desirable for a museum and art center; to collect and preserve the museum pieces and works of art and other like properties and to arrange and catalogue them; to provide for their restoration where necessary; to provide for their public display, examination and use in the furtherance of the cultural life of Greenville County; to purchase or lease property, buildings and real properties necessary to the establishment and conduct of museums and art centers; to mortgage or pledge its real and personal property; to receive funds, grants, gifts, donations and appropriations for the purpose of establishing and operating museums and art centers and for collecting the objects of art and museum pieces and the exercise of the right of eminent domain; to cooperate with art associations in furtherance of the knowledge of

art and art appreciation; to conduct classes in art education and have full authority to operate, maintain and expand the museums and art centers so far as their funds allow; to have full power to employ and discharge the managers, assistants and employees generally; and to lease portions of the premises under its control to persons or organizations who, in the opinion of the commissioners, offer cultural development to the County of Greenville. The commission shall have such additional specific duties and powers as may be provided by law.

Section 3. If any provision of this act shall for any reason be held invalid, the invalidity thereof shall not affect any other provision thereof.

Section 4. All acts or parts of acts inconsistent herewith are repealed.

Section 5. This act shall take effect upon approval by the Governor."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R161, H1398)

**No. 540**

**An Act To Modify The Territorial Limits Of Mauldin-Simpsonville-Fountain Inn Water District In Greenville And Laurens Counties By Eliminating Therefrom Certain Areas Now Annexed To The City Of Greenville Or Isolated From The District By Such Annexation And The Construction Of Super-Highway I-85, And To Empower Mauldin-Simpsonville-Fountain Inn Water District To Sell To The Commissioners Of Public Works Of The City Of Greenville Portions Of Its Water Distribution System Now Lying Within Such Areas, And To Prescribe The Terms And Conditions Upon Which Such Sale May Be Effected.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 559 of 1951 Mauldin-Simpsonville-Fountain Inn Water District in Greenville and Laurens Counties was created (the District) for the purpose of constructing, operating and maintaining a water distribution system. It now finds that a portion of the District has been annexed to the City of Greenville

and that three small portions of the District have been isolated from the District by such annexation and by the construction of superhighway I-85, and that the needs for water of those persons living in such areas would be better met if served by the Commissioners of Public Works of the City of Greenville (the Commissioners). It proposes to modify the territorial limits of the District by eliminating therefrom both the areas isolated from the District by the annexation referred to and by superhighway I-85, and to authorize the District to sell to the Commissioners on terms and conditions to be mutually agreed upon, those portions of the system of the District now lying within the corporate limits of the City of Greenville, as well as those portions of the District's system located in the other areas mentioned above.

**SECTION 2. Mauldin-Simpsonville-Fountain Inn Water District may sell portion of its system to City of Greenville.**—The District is authorized to sell to the Commissioners those portions of the District's system now lying within the corporate limits of the City of Greenville, and those portions of the District's system lying in any of the three areas referred to above, upon such terms and conditions as shall be mutually agreed upon, which shall include undertakings by the Commissioners to serve the areas of the District annexed to the City of Greenville and the areas isolated from the District above referred to.

**SECTION 3. Proceeds.**—All proceeds derived by the District from the sale of those portions of its system sold to the Commissioners, after paying all costs and expenses incident thereto, shall be used to effect the redemption of outstanding bonds of the District, and pending action by the District to effect the call and redemption of outstanding bonds, shall be deposited with the Paying Agent of said bonds in a special trust applicable solely to the payment of the principal and redemption premium of bonds of the District heretofore issued for the purpose of constructing the system of the District.

**SECTION 4. Certain areas eliminated from District.**—The territorial limits of the District, as defined by Section 2 of Act No. 559 of the 1951 Acts, are hereby modified by eliminating the following areas, all of which are set forth and delineated on a map prepared by Piedmont Engineering Service, Greenville, South Carolina, entitled "North Index Map of Mauldin-Simpsonville-Fountain Inn Water District, Greenville and Laurens County, South Carolina":

(1) The area marked (A) on the aforesaid map, which was annexed to the City of Greenville;

(2) The area marked (B) on the aforesaid map, which was isolated from the District by virtue of the annexation of area (A) to the City of Greenville; and

(3) The areas marked (C) and (D) on the aforesaid map, which have been isolated from the District by the annexation aforesaid and by the construction of superhighway I-85.

**SECTION 5. Map to be filed.**—Prior to the conveyance by the District to the Commissioners, copies of such map shall be filed in the offices of the auditor and treasurer of Greenville County.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 27th day of March, 1963.

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(R192, H1436)

**No. 541**

**An Act To Validate An Election Held In The School District Of Greenville County, Upon The Issuance Of Not Exceeding Twelve Million Dollars Of Bonds, And To Authorize Further Action By The Board Of Trustees Of The School District To Effect The Issuance Of Such Bonds, And To Make Further Provision For The Expenditure Of The Proceeds Of The Bonds And The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the Board of Trustees of The School District of Greenville County, acting in accordance with the provisions of the School Bond Act, Sections 21-971 to 21-990, of the 1962 Code, did heretofore order a special election which was held in the school district on Tuesday, March 12, 1963, and at which there was submitted to the qualified electors of the school district the following question: "Shall the Board of Trustees of The School District of Greenville County, the State of South Carolina, be empowered to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of said School District in the principal amount of not exceeding Twelve Million Dollars (\$12,000,000) for constructing, improving, equipping, renovating

and repairing school facilities, and acquiring sites for school facilities?"

The General Assembly further finds that the election resulted favorably upon the question submitted by a vote of six thousand two hundred and six to one thousand four hundred ninety-two, and that, while no irregularities in its holding have so far been brought to light, it is desirable that the results of the election be validated and confirmed, in order that the board of trustees may forthwith undertake the marketing of the bonds thus authorized under most advantageous conditions.

The General Assembly has therefore determined to declare the election a valid expression of the qualified electors of the school district, which satisfactorily removes the condition precedent to the issuance of bonds pursuant to the School Bond Act, and vests in the board of trustees power to issue bonds to the extent therein authorized, but within applicable constitutional debt limitations, and to expend the proceeds for constructing and equipping such further additional public school facilities within the school district as the board of trustees, in its discretion, shall determine.

**SECTION 2. Election validated.**—It is hereby found and determined that the election held in the school district on March 12, 1963, resulted favorably. The result of the election is hereby validated in all respects, notwithstanding any irregularity that may have occurred in the ordering of the election, the advertisement thereof, or in conducting the same. It is expressly declared that the election discharges the condition precedent to further action by the board of trustees to issue bonds pursuant to the School Bond Act to the extent authorized by the election and permitted by applicable constitutional debt limitations, and the board of trustees is hereby specifically authorized and empowered to forthwith proceed in the manner provided by the School Bond Act to effect the sale of bonds authorized by the election, or so much thereof as may be within the applicable constitutional limitations on the occasion of the issuance of any of such bonds, and to expend the proceeds derived from the sale of the bonds for the construction and equipping of additional public school facilities within the school district.

The bonds when issued within the limitations above set forth and in conformity with the provisions of the remaining provisions of the School Bond Act shall constitute valid and binding obligations of the school district, for which there shall be pledged the full faith,

credit and taxing power of the school district, and upon direction of the board of trustees, the Auditors of Greenville, Laurens and Spartanburg Counties, respectively, shall levy and the treasurers of the counties shall collect, such ad valorem tax upon all taxable property within their respective counties as lies within the school district as shall be required to provide for the punctual payment of the principal and interest of the bonds, as the same respectively fall due and to create such sinking fund as may be necessary therefor.

The authorizations herein granted shall constitute full and absolute authority for the action herein authorized, and no further consent or authorization shall be required of the board of trustees from any executive or administrative agency.

The action herewith authorized may be taken by the board of trustees at a regular or special meeting. The power and authority herewith granted to the board of trustees shall be in addition to all other powers, it being intended that the provisions of this act shall be full, complete and absolute authority for all action herein authorized.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1963.

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(R213, H1434)

**No. 542**

**An Act To Amend Act No. 855 Of The Acts Of 1954, As Amended, Creating The Gantt Water And Sewer District In Greenville County, So As To Include Within The Duties Of The Governing Commission The Furnishing Of Police Protection Within The District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 3 of Act 855 of 1954, amended—powers and duties.**—The first paragraph of Section 3 of Act No. 855 of the Acts of 1954 is amended by inserting between the words “fire” and “protection” in line five the words “and police”, so that when amended the paragraph shall read as follows :

“Section 3. There is committed to the district the functions of constructing, operating, maintaining, improving and extending a Water

Distribution System, a sewer system, a system for the collection and disposition of garbage, and a system for fire and police protection within the district. To that end, the commission shall be empowered as provided below, to-wit, to:"

**SECTION 2. Subitem 10, Section 3 of Act 855 of 1954, amended—powers and duties further.**—Subitem 10 of Section 3 of Act No. 855 of the Acts of 1954 is amended by inserting between the words "fire" and "protection" the words "and police", so that when amended the subitem shall read as follows:

"10. Establish, operate and maintain a system of fire and police protection."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

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(R400, H1723)

**No. 543**

**An Act To Amend An Act Of 1963 Bearing Ratification No. 103, Authorizing The Issuance Of General Obligation Bonds Of The Wade Hampton Water And Sewer District In Greenville County, So As To Provide For The Temporary Investment Of The Proceeds From Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that pursuant to an Act of 1963 bearing Ratification No. 103 authorizing the issuance of one million nine hundred and fifty thousand dollars of general obligation bonds of the Wade Hampton Water and Sewer District in Greenville County, bonds to the extent of one million nine hundred and fifty thousand dollars have been sold, and that the construction of the project authorized by that act will extend over a considerable period of time. It has therefore been determined that it is desirable that the proceeds of the bonds, to the extent prescribed by the Wade Hampton Water and Sewer District Commission, be invested temporarily in direct obligations of the United States and agencies thereof, and that the income so realized be applied to the payment of the interest on the bonds.

**SECTION 2. Subsection 3, Section 8 of Act 538 of 1963 amended—temporary investment of proceeds.**—Subsection (3) of Section 8 of an Act of 1963 bearing Ratification No. 103 is amended by adding at the end thereof the following:

*“Provided, that pending the use of the proceeds of the bonds to meet the costs to be incurred in constructing and acquiring adequate sewage disposal facilities in the District, the proceeds of the bonds shall, at the direction of the Commission and to the extent prescribed by the Commission, be invested and reinvested in direct obligations of the United States or agencies thereof, having a stated maturity of not exceeding twelve months from the date of any such investment. The Commission may employ the services of the trust department of any bank having an office in Greenville County to assist it in effecting such investments, and if such action shall be taken by the Commission, the Treasurer of Greenville County shall, on the order of the Commission, deliver to such bank the proceeds of the bonds, to the extent ordered by the Commission.*

All income realized from such investments, after meeting any costs incident thereto, shall be from time to time turned over to the Treasurer of Greenville County and by him applied to the payment of interest to become due on the bonds, but the provisions hereof shall in no way limit or impair the directive of this act made by Section 7 requiring the Auditor and Treasurer of Greenville County to levy and collect sufficient taxes to meet the payment of the principal and interest of the bonds, as the same respectively mature, and any reduction in the tax levy resulting from income so received, shall take place only after the actual receipt by the Treasurer of the proceeds of such investment income. Whenever investments made as herein authorized shall be reconverted into cash, the principal proceeds of any such investments shall be returned to the Treasurer of Greenville County and by him applied in accordance with the provisions of this subsection.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R480, H1844)

**No. 544**

**An Act Providing For The Creation Of Watershed Conservation Districts In Greenville County; Providing For The Election Of Directors Of Watershed Conservation Districts And Prescribing Their Powers And Duties; Providing For A Levy Of Taxes For The Organization And Administration Of The Districts; And Providing For The Construction, Operation And Maintenance Of Works Of Improvement Within The Districts.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Definitions.**—Whenever used or referred to in this act, unless a different meaning clearly appears from the context:

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Director" means one of the members of the governing body of a watershed conservation district, elected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Greenville Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "Petition" means a petition filed under the provisions of Section 4 of this act for the creation of a watershed conservation district.

(5) "County" means Greenville County of South Carolina.

(6) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(7) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

**SECTION 2. Watershed conservation districts may be formed in Greenville County.**—Authority is hereby granted to form watershed

conservation districts within Greenville County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

**SECTION 3. Area.**—The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and such area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

**SECTION 4. Petition for formation.**—When twenty-five or more landowners within a proposed watershed conservation district, or, if less than fifty landowners are involved, a majority of such landowners, desire to form a watershed conservation district, they shall file a petition with the supervisors of the soil conservation district asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

**SECTION 5. Hearing on petition.**—(1) Within thirty days after the petition has been filed with the supervisors of the soil conservation district, they shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of a watershed conservation district. All interested parties shall have the right to attend such hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the supervisors shall permit the inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further

hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and a further hearing shall be held. After final hearing, if the supervisors of the soil conservation district determine, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, they shall make and record such determination, and shall define the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the supervisors of the soil conservation district determine after a hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, they shall make and record the determination and shall deny the petition.

**SECTION 6. Referendum.**—After the supervisors of the soil conservation district have made and recorded a determination that there is a need, in the interest of public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, and have defined the boundaries thereof, they shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible. To assist the supervisors in making this determination, they shall, within a reasonable time after the entry of a finding that there is need for the organization of a watershed conservation district and determination of the boundaries thereof, hold a referendum within the proposed watershed conservation district upon the proposition of the creation of the watershed conservation district. Due notice of the referendum shall be given by the supervisors. The notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed watershed conservation district as polling places and shall give notice that the directors shall have the power of eminent domain. The supervisors shall have full charge of the referendum and shall have suitable ballots printed and furnished to each polling place; appoint necessary box managers and other referendum officials, and shall canvass the referendum and announce the results. The cost of holding the referendum shall be paid from the general fund of Greenville County.

**SECTION 7. Question.**—The question to be voted on shall be submitted by ballots upon which appear the words:

“For creation of ..... Watershed Conservation District”

“Against creation of ..... Watershed Conservation District”

A square shall follow each proposition. The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions as the voter may favor or oppose creation of the watershed conservation district. The ballot shall set forth the boundaries of the proposed watershed conservation district as determined by the supervisors of the soil conservation district. No one except owners of lands lying within the boundaries of the proposed watershed conservation district, as determined by the supervisors of the soil conservation district, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in the referendum under such rules and regulations as may be prescribed by the supervisors. No informalities in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the result thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

**SECTION 8. Results—district to be created if results and determination favorable.**—The votes shall be counted by the referendum officials at the close of the polls and a report of the results, along with the ballots, shall be delivered and certified to the supervisors of the soil conservation district; and thereafter the supervisors shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the supervisors determine that the operation of the district is not administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the operation of the district is administratively practicable and feasible, they shall record the termination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the supervisors shall not have authority to determine that the operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of the creation of the district shall have been cast in favor of the creation of the district. If the supervisors shall determine that the operation of the district is administratively

practicable and feasible, they shall certify the determination to the Clerk of Court of Greenville County and to the Secretary of State. Upon proper recordation of the determination, the watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 9. Board of directors to govern district—nominating petitions — election — ballots — terms — officers — bond of treasurer.**—(1) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(2) Within thirty days after a watershed conservation district has been created, nominating petitions may be filed with the supervisors of the soil conservation district to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of the landowners. If the candidates nominated do not exceed the number of directors to be chosen, the supervisors shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the supervisors of the soil conservation district shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The provisions of Sections 5, 6 and 7 of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall, upon

the supervision of the supervisors of the soil conservation district, be the governing body of the watershed conservation district.

(4) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be for four years.

(5) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. The bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

**SECTION 10. District to be corporate body—powers and duties.**—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and the district and the directors thereof shall, subject to the approval of the supervisors of the soil conservation district, have the following powers, in addition to the others granted in other sections of this act:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148 of the 1962 Code, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate, and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute mortgages on any property owned by the

district, or assign or pledge the revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 11 of this act;

(4) To levy an annual tax on the real property within the district subject to the limitations provided in Section 13 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district. The levy shall be made only after approval by the supervisors of the soil conservation district and upon notifying the county auditor.

**SECTION 11. Bonds not to be issued unless referendum held.**

—(1) Bonds authorized by Section 10 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of any bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 13 of this act. A copy of the order or resolution shall be certified to the supervisors of the soil conservation district.

(2) The supervisors shall hold a hearing on the proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the supervisors.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice qualifications of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the supervisors, be authorized to issue the bonds.

**SECTION 12. Compensation.**—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the supervisors of the soil conservation district.

**SECTION 13. Budget—tax levy.**—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of

the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of the budget by the supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 11 of this act. A copy of the budget shall be certified to the Auditor of Greenville County.

**SECTION 14. List of landowners and acres subject to assessment.**—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

**SECTION 15. Collection of taxes.**—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interests as are applied to the collection of county taxes.

**SECTION 16. Expenditures.**—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the supervisors of the soil conservation district.

**SECTION 17. Petition to have lands detached.**—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the supervisors of the soil conservation district to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within

thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervisors that the lands shall be detached, the determination shall be certified to the Auditor of Greenville County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 18. Petition for discontinuance of district—hearing—referendum — discontinuance if election and determination favorable.**—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within the district, or, if less than fifty landowners are involved, a majority of the landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct the hearings upon the petition as may be necessary to assist them in the consideration.

(2) Within sixty days after the petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold the referendum substantially as provided for in Section 11 of this act. The question shall be submitted by ballots upon which the words “For terminating the existence of the ..... Watershed Conservation District,” and “Against terminating the existence of the ..... Watershed Conservation District” shall be printed, with a square before each proposition and a direction to insert an “X” mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable

and feasible, they shall record the determination and deny the petition. If the supervisors determine that the continued operation of the watershed conservation district is not administratively practicable and feasible, they shall record the determination and shall certify the determination to the directors of the watershed conservation district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Greenville County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 19. Supervisory authority if district discontinued.**—

If the Greenville Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Greenville County.

**SECTION 20. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of June, 1963.

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(R522, S440)

**No. 545**

**An Act To Amend Section 5 Of Act No. 432 Of The Acts Of 1947, As Amended, So As To Increase The Authority Of The Board Of Trustees Of The Greenville General Hospital To Borrow Money.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Trustees—duties and powers.**—Item (24) of Section 5 of Act No. 432 of the Acts of 1947 is amended by inserting

between the words "hundred thousand" on line 9 the word "fifty" so that when so amended the item shall read as follows:

"(24) To borrow money from national banks in such amounts and on such terms as the Board of Trustees shall determine in their discretion is for the best interest of the hospital for the acquisition of additional real or personal property, including equipment, as may be deemed necessary or desirable by the Board, or to enlarge and improve any hospital building or buildings that it now has or may acquire or construct, or for defraying any costs incurred thereabout. *Provided*, that at no time shall the aggregate of such outstanding loans exceed two hundred fifty thousand dollars and *provided*, further, that the Board of Trustees is authorized and empowered to pledge the revenues of the hospital from any source other than the income derived from charges made to patients for the repayment of such loans."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R612, S491)

**No. 546**

**An Act To Authorize The South Carolina State Highway Department To Construct A Road In Greenville County And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Greenville County—Highway Department may construct road—cost.**—The South Carolina State Highway Department is authorized to add to the State Highway System and to construct a road in Greenville County near the Town of Piedmont extending from South Carolina Highway 20, easterly through the property of Cannie T. Simpson to the old Pelzer Road. The cost of constructing the road provided for by this act shall be charged to the Secondary Highway Funds accruing to Greenville County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

(R652, H1920)

**No. 547****An Act To Validate Certain Expenditures Made By Greenville County For County Purposes During The Calendar Years 1962 And 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following sums which have been expended by Greenville County for county purposes upon approval of the county legislative delegation, such expenditures and approval having been made during the calendar years 1962 and 1963, are hereby validated and declared to be legal in all respects.

|        |          |  |            |
|--------|----------|--|------------|
| June   | 27, 1962 | Happy Hearts Park .....  | \$ 600.00  |
| June   | 27, 1962 | Supplement to Department of<br>Public Welfare .....                  | 1,808.40   |
| June   | 27, 1962 | City of Greenville, Parks and Play-<br>grounds (USO) .....           | 4,200.00   |
| June   | 27, 1962 | Supplies Probate Judge .....   | 250.00     |
| July   | 12, 1962 | Ross Tire Company (Supervisor) ..                                    | 1,030.00   |
| July   | 31, 1962 | Greer Magistrate for typewriter ..                                   | 100.00     |
| August | 7, 1962  | Voting Machines .....  | 18,230.00  |
| August | 13, 1962 | Registration Board Members .....                                     | 1,255.50   |
| August | 15, 1962 | Two Radio units for automobiles<br>in Sheriff's Department .....     | 2,500.00   |
|        |          | Increase in salary of Investigator<br>in Solicitor's Office .....    | 600.00     |
|        |          | Uniforms for Jailers .....   | 1,800.00   |
|        |          | Technical Training School .....                                      | 31,265.00  |
|        |          | Supervisor—Crash Road Program ..                                     | 100,000.00 |
|        |          | Travel and repairs for Supervisor's<br>Car .....                     | 1,905.00   |
| August | 27, 1962 | County Development Board, Cleri-<br>cal Help and Office Expense .... | 9,500.00   |
|        |          | Magistrate Harold Scott to buy<br>safe .....                         | 100.00     |
|        |          | Improvements at Rehabilitation<br>Camp .....                         | 573.64     |
| August | 28, 1962 | Shoe Repair Equipment at Reha-<br>bilitation Camp .....              | 3,880.00   |
|        |          | Additional for radios in Sheriff's<br>Department .....               | 325.00     |

|           |          |   |           |
|-----------|----------|---|-----------|
| August    | 30, 1962 | Community Council, Child Welfare Study . . . . .                        | 2,500.00  |
|           |          | Salary for Assistant Jailer . . . . .                                   | 3,543.75  |
| September | 10, 1962 | Election Commissioners . . . . .  | 2,850.00  |
| September | 13, 1962 | Board of Registration . . . . .   | 180.00    |
| October   | 5, 1962  | Board of Registration . . . . .   | 108.00    |
| October   | 31, 1962 | Paving Contract at Woodside Mills, Fountain Inn . . . . .               | 9,000.00  |
| November  | 13, 1962 | Louise Moore, one day with Registration Board (Saturday) . . . . .      | 10.00     |
| November  | 15, 1962 | Intercom System at Jail and line rental . . . . .                       | 120.00    |
| December  | 5, 1962  | Third Bailiff at Courts . . . . .                                       | 1,221.44  |
| December  | 5, 1962  | Two Extra Clerks for Auditor . . . . .                                  | 1,928.64  |
| December  | 10, 1962 | Secretarial Help County Soil Conservation . . . . .                     | 900.00    |
|           |          | Department of Public Welfare . . . . .                                  | 1,595.00  |
| January   | 22, 1962 | Extra Help R.M.C. Office . . . . .                                      | 600.00    |
|           |          | Bond Deputy Frank Burns, Premium . . . . .                              | 25.00     |
| February  | 18, 1962 | Expenses County Court Office . . . . .                                  | 250.00    |
|           |          | Greenville General Hospital . . . . .                                   | 34,462.62 |
| February  | 22, 1962 | Additional Uniforms for jailers . . . . .                               | 124.16    |
|           |          | For Health Department . . . . .   | 3,167.93  |
|           |          | Zoo Commission . . . . .  | 6,749.00  |
| March     | 1, 1962  | Additional Office of R.M.C. . . . .                                     | 4,000.00  |
|           |          | Additional for County Court Office expense . . . . .                    | 250.00    |
| March     | 11, 1962 | Greenville Museum . . . . .   | 14,500.00 |
| March     | 29, 1962 | Technical Education Center . . . . .                                    | 6,700.00  |
|           |          | Expense of visit of State Legislature to Greenville . . . . .           | 1,600.00  |
| April     | 1, 1962  | Additional appropriation for Deputy Fred Couch for two months . . . . . | 500.00    |
| March     | 7, 1962  | Repairs and painting County Office Building . . . . .                   | 2,800.00  |
| April     | 11, 1962 | Technical Education Center . . . . .                                    | 3,000.58  |
| April     | 19, 1962 | Board of Registration . . . . .   | 108.00    |
| April     | 22, 1962 | Supervisor for paving roads . . . . .                                   | 15,000.00 |
|           |          | Health Department for Mosquito Control . . . . .                        | 15,000.00 |

|                 |          |  |              |
|-----------------|----------|--|--------------|
| May             | 20, 1962 | Binders for Auditor's Office . . . .                               | 305.92       |
| May             | 13, 1962 | Air conditioning Offices of Department of Public Welfare . . . . . | 26,900.00    |
| May             | 10, 1962 | Supervisor . . . . .   | 30,000.00    |
| Total . . . . . |          |  | \$369,922.58 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R669, H1826)

### No. 548

**An Act To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues And To Direct And Control The Expenditures Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding four and one-quarter mills, of all the taxable property of the county, and such revenue therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1963, and ending June 30, 1964.

**SECTION 2.** Appropriations:

Item 1. County Supervisor

|   |             |
|---|-------------|
| 1-1 Supervisor . . . . .                  | \$ 7,500.00 |
| 1-2 Clerks, 2 @ \$3,857.28 each . . . . . | 7,714.56    |

|  |              |
|--|--------------|
| 1-3 Engineer .....                                   | 3,300.00     |
| 1-4 Inspector .....                                  | 5,280.00     |
| 1-5 Camp Superintendents, 7 @ \$4,158.00 each ....   | 29,106.00    |
| 1-5 Ass't Superintendents, 4 @ \$3,696.00 each ....  | 14,784.00    |
| 1-5 Quartermaster .....                              | 3,300.00     |
| 1-5 Interrogation and Transportation Officer .....   | 3,300.00     |
| 1-5 Gas and Parts Room Man .....                     | 3,300.00     |
| 1-5 Tire Man .....                                   | 3,300.00     |
| 1-5 Mechanics, 3 @ \$3,300.00 each .....             | 9,900.00     |
| 1-5 Welder .....                                     | 3,300.00     |
| 1-5 Machine Operators, 16 @ \$3,300.00 each ....     | 52,800.00    |
| 1-5 Bridge Carpenter Foreman, 2 @ \$2,970.00 each .. | 5,940.00     |
| 1-5 Plumber .....                                    | 2,772.00     |
| 1-5 Painter .....                                    | 2,772.00     |
| 1-5 Farmers, 2 @ \$2,772.00 each .....               | 5,544.00     |
| 1-5 Day Wardens, 4 @ \$2,772.00 each .....           | 11,088.00    |
| 1-5 Night Wardens, 5 @ \$2,772.00 each .....         | 13,860.00    |
| 1-5 Truck Drivers, 3 @ \$2,772.00 each .....         | 8,316.00     |
| 1-5 Dump Superintendent .....                        | 3,696.00     |
| 1-5 Guards, 32 @ \$2,772.00 each .....               | 88,704.00    |
| 1-6 Travel—Supervisor .....                          | 1,905.00     |
| Total Salaries .....                                 | \$291,481.56 |

## FROM GENERAL FUND:

|   |              |
|---|--------------|
| 1-100 Maintenance of buildings, appliances, janitors' supplies, office supplies, heat, lights & water ... | \$ 35,000.00 |
| 1-101 Convict maintenance (food and clothing) ....  | 100,000.00   |
| 1-102 Purchase machinery and trucks .....   | 70,000.00    |
| 1-103 Farming supplies .....  | 5,000.00     |
| 1-104 Uniforms for guards .....   | 5,000.00     |
| Total Expenses .....  | \$215,000.00 |

TOTAL ITEM 1 FROM GENERAL  
FUND

\$506,481.56

## FROM SIX MILL ROAD LEVY

|   |              |
|---|--------------|
| 1-105 Gasoline, oil, diesel, fuel, lubricants .....   | \$ 70,000.00 |
| 1-106 Maintenance of equipment (tools, tires, blades, batteries, cables, replacement parts) ..... | 135,000.00   |

1-107 Bridges and large culverts ..... 66,000.00

Total from Six Mill Road Levy ..... \$271,000.00

*Provided*, that the foregoing total in the amount of \$271,000.00 shall not be included in the Grand Total as that amount is from the Six Mill Road Levy.

*Provided*, the Supervisor of the county shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the expenditure of any sum in excess of the periodic allowance above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners.

*Provided*, that no monies from the six mill road levy shall be spent for salaries.

*Provided*, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2. County Board of Commissioners and related expenses:

Salaries and expenses:

|                                      |             |
|--------------------------------------|-------------|
| 2-1 Secretary to Commissioners ..... | \$ 5,082.00 |
| 2-2 Comptroller .....                | 5,082.00    |

|   |              |
|---|--------------|
| 2-3 Accounting Machine Operator .....   | 5,082.00     |
| 2-4 Assistant Accounting Machine Operator .....   | 4,200.00     |
| 2-5 Secretary to Legislative Delegation .....   | 900.00       |
| 2-6 Block Book Engineer .....   | 6,500.04     |
| 2-7 Assistant Block Book Engineer .....   | 6,096.36     |
| 2-8 Assistant Block Book Engineers, 2 @ \$5,476.44<br>each .....  | 10,952.88    |
| 2-9 Assistant Block Book Engineer .....   | 4,936.44     |
| 2-10 Draftsman, 2 @ \$4,593.00 each .....   | 9,186.00     |
| 2-11 Draftsman .....  | 3,993.00     |
| 2-12 Special Engineer .....   | 3,833.28     |
| 2-13 Clerk, Block Book Department .....   | 3,276.96     |
| 2-14 Clerk, Block Book Department .....   | 2,892.96     |
| 2-15 Tax Clerk—City Block Book .....  | 1,928.52     |
| 2-16 I. B. M. Supervisor .....  | 5,900.04     |
| 2-17 I. B. M. Operators .....   | 16,131.72    |
| 2-18 Superintendent of Buildings .....  | 5,783.76     |
| 2-19 Third clerk for the Superintendent of Buildings .....  | 2,892.96     |
| 2-20 Night Superintendent of Buildings .....  | 3,432.00     |
| 2-21 Elevator Operator—County Office Building ...   | 2,721.68     |
| 2-22 Board of Commissioners, 5 @ \$600.00 each ...  | 3,000.00     |
| <hr/>   |              |
| Total Salaries .....  | \$113,804.60 |
| 2-100 Travel for Superintendent of Buildings .....  | \$ 330.00    |
| 2-101 Travel for Board of Commissioners .....   | 1,000.00     |
| 2-102 Travel for Block Book Department .....  | 500.00       |
| <i>Provided, this shall be paid by the board of commissioners on the basis of seven cents per mile.</i> |              |
| <hr/>   |              |
| Total Travel .....  | \$ 1,830.00  |
| 2-103 Office supplies, Commissioners .....  | \$ 4,500.00  |
| 2-104 Stamps for Delegation Secretary .....   | 25.00        |
| 2-105 Supplies—Block Book Department .....  | 1,000.00     |
| 2-106 Lights and power .....  | 20,000.00    |
| 2-107 Fuel .....  | 7,000.00     |
| 2-108 Water .....   | 1,200.00     |
| 2-109 Insurance on buildings .....  | 5,500.00     |
| 2-110 Janitors' supplies .....  | 6,500.00     |
| 2-111 Elevator upkeep .....   | 2,500.00     |

|       |  |            |
|-------|--|------------|
| 2-112 | Courthouse repairs .....                                     | 4,500.00   |
| 2-113 | County audits .....  | 6,000.00   |
| 2-114 | Bond premiums—all offices except Sheriff .....               | 5,000.00   |
| 2-115 | Telephone and telegraph .....                                | 13,000.00  |
| 2-116 | Legal advertising .....                                      | 200.00     |
| 2-117 | Postage—all offices .....                                    | 10,500.00  |
| 2-118 | Workmen's compensation .....                                 | 12,000.00  |
| 2-119 | State Retirement and Social Security .....                   | 130,000.00 |
|       | This includes employer's part of Police Officers Retirement. |            |
| 2-120 | Contractual service—I. B. M. ....                            | 14,774.92  |
| 2-121 | Supplies and printing—I. B. M. ....                          | 2,340.00   |
| 2-122 | Supplies—special engineer .....                              | 100.00     |

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|                      |              |
|----------------------|--------------|
| Total Supplies ..... | \$246,639.92 |
|----------------------|--------------|

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|                    |              |
|--------------------|--------------|
| TOTAL ITEM 2 ..... | \$362,274.52 |
|--------------------|--------------|

*Provided*, that the county board of commissioners shall have complete control and direction of I. B. M. system and its personnel, equipment and supplies.

### Item 3. County Jail

|     |  |             |
|-----|--|-------------|
| 3-1 | Jailer .....                                 | \$ 4,820.04 |
| 3-2 | Assistant jailers, 6 @ \$4,050.00 each ..... | 24,300.00   |
| 3-3 | Bookkeeper .....                             | 3,857.28    |

---

|                      |              |
|----------------------|--------------|
| Total Salaries ..... | \$ 32,977.32 |
|----------------------|--------------|

|       |                            |              |
|-------|----------------------------|--------------|
| 3-100 | Food, fuel, etc. ....      | \$ 22,000.00 |
| 3-101 | Uniforms for jailers ..... | 1,050.00     |

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|                      |              |
|----------------------|--------------|
| Total Expenses ..... | \$ 23,050.00 |
|----------------------|--------------|

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|                    |              |
|--------------------|--------------|
| TOTAL ITEM 3 ..... | \$ 56,027.32 |
|--------------------|--------------|

### Item 4. Court Operation Expenses

|     |                              |             |
|-----|------------------------------|-------------|
| 4-1 | Bailiff .....                | \$ 2,120.40 |
| 4-2 | Assistant bailiff .....      | 1,832.16    |
| 4-3 | County Judge .....           | 12,750.00   |
| 4-4 | Solicitor—County Court ..... | 6,154.68    |
| 4-5 | Assistant Solicitor .....    | 3,960.00    |

## LOCAL AND TEMPORARY LAWS—1963

|                      |   |              |
|----------------------|---|--------------|
| 4-6                  | County Court Reporter .....                           | 3,993.00     |
| 4-7                  | Stenographer to County Solicitor .....                | 2,507.16     |
| 4-8                  | Stenographer to Circuit Solicitor .....               | 3,857.28     |
| 4-9                  | Stenographer to Coroner .....                         | 1,452.00     |
| 4-10                 | Stenographer to Circuit Judge .....                   | 1,325.64     |
| 4-11                 | Circuit Court Stenographer .....                      | 321.48       |
| 4-12                 | Assistant Circuit Court and County Stenographer ..... | 3,960.00     |
| 4-13                 | Criminal Investigator—Circuit and County Court .....  | 5,418.00     |
| 4-14                 | Supplement salary—Stenographer, Parole Officer .....  | 968.04       |
| 4-15                 | Bailiff (County Court) .....                          | 1,832.16     |
| 4-16                 | Stenographer, County Court Judge .....                | 1,800.00     |
| Total Salaries ..... |   | \$ 54,252.00 |
| 4-100                | Travel—Criminal Investigator .....                    | 900.00       |
| Total Travel .....   |   | \$ 900.00    |
| 4-101                | Jurors—all courts .....                               | \$ 36,733.48 |
| 4-102                | Office supplies—County Court .....                    | 600.00       |
| 4-103                | Supplies—Circuit Court Stenographer .....             | 1,000.00     |
| 4-104                | Supplies—Circuit Court Solicitor .....                | 450.00       |
| 4-105                | Law Library .....                                     | 1,000.00     |
| Total Expenses ..... |   | \$ 39,783.48 |
| TOTAL ITEM 4 .....   |   | \$ 94,935.48 |

*Provided*, that the Criminal Investigator shall be a full-time employee and charged with the duty of assisting the solicitors of the circuit and county court with the investigation and preparation of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the grand jury with respect to such investigations as the grand jury shall require. The appointment of the investigator shall be made by the county delegation upon the recommendation of the circuit and county solicitors.

*Provided*, that the assistant solicitor shall be employed by the circuit solicitor and the county court solicitor and shall serve under their direction.

*Provided*, that the money hereinabove appropriated for supplies for the circuit court stenographer shall be expended upon the written authorization of the resident circuit judge.

*Provided*, that witnesses, living outside Greenville County, called for coroner's inquest be paid the same as other court witnesses.

Item 5. County Health Department

|   |              |
|---|--------------|
| Salaries, supplies and vital statistics ..... | \$141,166.50 |
| Mosquito control .....                        | 15,000.00    |

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|                    |              |
|--------------------|--------------|
| TOTAL ITEM 5 ..... | \$156,166.50 |
|--------------------|--------------|

*Provided*, that the monies hereinabove appropriated shall be spent upon the written approval of the legislative delegation.

Item 6. Sheriff and other Law Enforcement:

|   |             |
|---|-------------|
| 6-1 Sheriff .....                             | \$ 7,500.00 |
| 6-2 Chief Deputy .....                        | 4,981.56    |
| 6-3 Radio operator .....                      | 5,211.60    |
| 6-4 Clerk .....                               | 2,795.04    |
| 6-5 Clerk .....                               | 3,114.48    |
| 6-6 Bookkeeper .....                          | 4,191.00    |
| 6-7 Deputies, 34 @ \$4,812.24 each .....      | 163,616.16  |
| 6-8 Sunday operator .....                     | 669.24      |
| 6-9 Special Deputies, 8 @ \$269.88 each ..... | 2,159.04    |

Poe Mill

Renfrew

Southern Bleachery

Union Bleachery

Woodside

Piedmont

Southern Worsted

Greer

|   |           |
|---|-----------|
| 6-10 Special Deputies, 10 @ \$1,253.52 each ..... | 12,535.20 |
|---|-----------|

Brandon

Sans Souci

|       |   |              |
|-------|---|--------------|
|       | Upper part of Greenville County                 |              |
|       | Taylors   |              |
|       | City View                                       |              |
|       | Fork Shoals                                     |              |
|       | Dunklin   |              |
|       | Town of Mauldin                                 |              |
|       | Park Place                                      |              |
|       | Travelers Rest                                  |              |
| 6-11  | Special Deputies, 4 @ \$1,010.28 each .....     | 4,041.12     |
|       | Rehobeth  |              |
|       | Simpsonville                                    |              |
|       | Berea   |              |
|       | East and West Gantt                             |              |
| 6-12  | Special Deputies, 2 @ \$1,200.00 each .....     | 2,400.00     |
|       | Town of Piedmont                                |              |
|       | Lake Lanier                                     |              |
| 6-13  | Special Deputy (Conestee) .....                 | 290.40       |
| 6-14  | Special Deputy (Slater-Marietta) .....          | 1,734.60     |
| 6-15  | Special Deputy (Judson-Welcome) .....           | 1,280.16     |
| 6-16  | Special Deputy (Wade Hampton) .....             | 1,320.00     |
| 6-17  | Special Deputy (Laurel Creek—9 months) ....     | 544.44       |
| 6-18  | Special Deputy (Pelham) .....                   | 473.76       |
| 6-19  | Special Deputy (East View) .....                | 1,228.08     |
| 6-20  | Special Deputy relief, 2 @ \$1,280.28 each .... | 2,560.56     |
| 6-21  | Special Deputy relief .....                     | 669.24       |
| 6-22  | Special Deputy (Woodlawn) .....                 | 495.00       |
|       | Total Salaries .....                            | \$223,810.68 |
| 6-100 | Travel—Sheriff .....                            | \$ 1,905.00  |
| 6-101 | Travel—Chief Deputy .....                       | 1,650.00     |
|       | Total Travel .....                              | \$ 3,555.00  |
| 6-102 | Gasoline for 15 rental cars .....               | 18,000.00    |
| 6-103 | Rental on 18 cars .....                         | 45,865.00    |
| 6-104 | Fingerprinting equipment .....                  | 1,500.00     |
| 6-105 | Ammunition, guns, etc. ....                     | 800.00       |
| 6-106 | Evidence Procurement Fund .....                 | 750.00       |
| 6-107 | Radio maintenance and phone .....               | 5,865.00     |
| 6-108 | Office supplies .....                           | 2,500.00     |

|   |          |
|---|----------|
| 6-109 Military .....  | 3,200.00 |
| 6-110 Insurance .....   | 4,267.80 |
| 6-111 Transportation of prisoners .....   | 2,500.00 |
| 6-112 Premium on officers' bonds, including insurance<br>on Sheriff's and Chief Deputy's automobiles .. | 1,050.00 |
| 6-113 Maintenance on confiscated cars .....   | 1,500.00 |
| 6-114 Uniforms and equipment for deputies .....   | 5,800.00 |

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Total Expenses .....\$ 93,597.80

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TOTAL ITEM 6 .....\$320,963.48

*Provided*, that Greenville County shall own the uniforms and equipment.

*Provided*, further, that if any of the above officers shall be replaced, the uniforms and equipment used by them shall be returned to the Sheriff.

*Provided*, that unincorporated towns and outlying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and radio patrol be constantly maintained in the zones, rather than attempting county-wide operation from the Sheriff's office; and *provided*, that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

*Provided*, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the circuit or county solicitor.

*Provided*, further, if possible return of State prisoners shall be made without cost to the county.

Item 7. Clerk of Court

|                           |             |
|---------------------------|-------------|
| 7-1 Clerk of Court .....  | \$ 6,500.04 |
| 7-2 Deputy Clerk .....    | 3,857.28    |
| 7-3 Second Clerk .....    | 3,278.64    |
| 7-4 Third Clerk .....     | 2,892.96    |
| 7-5 Temporary Clerk ..... | 1,200.00    |

*Provided*, acting Clerk of Court, \$50.00 per week to be paid to the deputy clerk for additional duties while acting as Clerk of County Court, not to exceed thirteen weeks.

|          |   |              |
|----------|---|--------------|
|          | Total Salaries .....                      | \$ 17,728.92 |
| 7-100    | Office equipment, supplies, etc. ....     | \$ 2,200.00  |
|          | Total Expenses .....                      | \$ 2,200.00  |
|          | TOTAL ITEM 7 .....                        | \$ 19,928.92 |
| Item 8.  | Probate Judge                             |              |
| 8-1      | Probate Judge .....                       | \$ 7,200.00  |
| 8-2      | Clerk to Probate Judge .....              | 3,857.28     |
| 8-3      | Second Clerk .....                        | 3,278.64     |
| 8-4      | Third Clerk, 3 @ \$2,892.96 each .....    | 8,678.88     |
|          | Total Salaries .....                      | \$ 23,014.80 |
| 8-100    | Office supplies and equipment .....       | 1,850.00     |
| 8-101    | Lunacy examinations .....                 | 3,900.00     |
| 8-102    | Transportation of mental patients .....   | 2,300.00     |
|          | Total Expenses .....                      | \$ 8,050.00  |
|          | TOTAL ITEM 8 .....                        | \$ 31,064.80 |
| Item 9.  | Delegation Contingent Fund                |              |
| 9-100    | Special appropriation by Delegation ..... | \$ 15,000.00 |
|          | TOTAL ITEM 9 .....                        | \$ 15,000.00 |
| Item 10. | County Treasurer                          |              |
| 10-1     | County Treasurer .....                    | \$ 2,664.84  |
| 10-2     | First Clerk .....                         | 3,857.28     |
| 10-3     | Second Clerk .....                        | 3,278.64     |
|          | Total Salaries .....                      | \$ 9,800.76  |
| 10-100   | Office Supplies .....                     | 600.00       |
|          | Total Expenses .....                      | \$ 600.00    |
|          | TOTAL ITEM 10 .....                       | \$ 10,400.76 |

## Item 11. Master in Equity

|                            |             |
|----------------------------|-------------|
| 11-1 Master .....          | \$ 7,800.00 |
| 11-2 Clerk to Master ..... | 3,857.28    |
| 11-3 Stenographer .....    | 2,892.96    |

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Total Salaries ..... \$ 14,550.24

11-100 Supplies—Master ..... \$ 300.00

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Total Expenses ..... \$ 300.00

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TOTAL ITEM 11 ..... \$ 14,850.24

## Item 12. Coroner

|                    |             |
|--------------------|-------------|
| 12-1 Coroner ..... | \$ 3,750.00 |
|--------------------|-------------|

---

Total Salaries ..... \$ 3,750.00

12-100 Travel—Coroner ..... \$ 1,650.00

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Total Travel ..... \$ 1,650.00

12-101 Office supplies ..... 250.00

---

Total Expenses ..... \$ 250.00

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TOTAL ITEM 12 ..... \$ 5,650.00

## Item 13. Register of Mesne Conveyance

|  |             |
|--|-------------|
| 13-1 Register .....                          | \$ 6,500.04 |
| 13-2 First Clerk .....                       | 3,857.28    |
| 13-3 Second Clerk, 2 @ \$3,278.64 each ..... | 6,557.28    |
| 13-4 Third Clerk, 4 @ \$2,892.96 each .....  | 11,571.84   |
| 13-5 Photo Record Machine Operator .....     | 3,720.24    |
| 13-6 Assistant Machine Operator .....        | 3,278.64    |
| 13-7 Temporary Clerk .....                   | 1,200.00    |

---

Total Salaries ..... \$ 36,685.32

13-100 Photo Record Machine supplies ..... 13,000.00

13-101 Office supplies and equipment ..... 6,500.00

Supplies for microfilming ..... 3,500.00

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Total Expenses ..... \$ 23,000.00

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TOTAL ITEM 13 ..... \$ 59,685.32

*Provided*, that the Register of Mesne Conveyance, in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

*Provided*, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 14. Auditor

|  |              |
|--|--------------|
| 14-1 Auditor .....   | \$ 2,664.84  |
| 14-2 First Clerk .....   | 3,857.28     |
| 14-3 Second Clerks, 2 @ \$3,278.64 each .....  | 6,557.28     |
| 14-4 Third Clerks, 3 @ \$2,892.96 each .....   | 8,678.88     |
| 14-5 Tax Coordinator .....   | 6,500.04     |
| 14-6 Assistant Tax Coordinator .....   | 5,526.48     |
| 14-7 Temporary Third Clerk .....   | 723.24       |
| 14-8 Board of Assessors (salary and travel) .....  | 17,050.00    |
| 14-9 Second clerk to the Tax Coordinator .....   | 3,278.64     |
| <hr/>  |              |
| Total Salaries .....   | \$ 54,836.68 |
| 14-100 Travel, Tax Coordinator Office .....  | \$ 900.00    |
| <i>Provided</i> , this shall be paid by the board of commissioners on the basis of seven cents per mile. |              |
| <hr/>  |              |
| Total Travel .....   | \$ 900.00    |
| 14-102 Office Supplies, Auditor .....  | \$ 1,150.00  |
| 14-103 Office Supplies, Tax Coordinator .....  | 500.00       |
| 14-104 Planning and zoning (City) .....  | 5,000.00     |
| <hr/>  |              |
| Total Expenses .....   | \$ 6,650.00  |
| <hr/>  |              |
| TOTAL ITEM 14 .....  | \$ 62,386.68 |

Item 15. Tax Collector :

|   |             |
|---|-------------|
| 15-1 Tax Collector .....                    | \$ 6,500.04 |
| 15-2 First Clerk .....                      | 3,857.28    |
| 15-3 Second Clerk .....                     | 3,278.64    |
| 15-4 Third Clerk, 2 @ \$2,892.96 each ..... | 5,785.92    |

|                                      |  |              |
|--------------------------------------|--|--------------|
| 15-5                                 | Assistant Collectors, 4 @ \$3,085.20 .....   | 12,340.80    |
| 15-6                                 | Extra Help .....   | 1,815.00     |
|                                      | <hr/>  |              |
|                                      | Total Salaries .....   | \$ 33,577.68 |
| 15-100                               | Travel, Tax Collector .....  | \$ 300.00    |
|                                      | <i>Provided</i> , this shall be paid by the board of commissioners on the basis of seven cents per mile. |              |
| 15-101                               | Travel, Ass't. Collectors, 4 @ \$1,740.00 each ..  | 6,960.00     |
|                                      | <hr/>  |              |
|                                      | Total Travel .....   | \$ 7,260.00  |
| 15-102                               | Office Supplies, (to include service contracts on machines) .....  | \$ 2,050.00  |
|                                      | <hr/>  |              |
|                                      | Total Expenses .....   | \$ 2,050.00  |
|                                      | <hr/>  |              |
|                                      | TOTAL ITEM 15 .....  | \$ 42,887.68 |
| Item 16. Magistrates and Constables: |  |              |
| 16-1                                 | City Magistrate No. 1 .....  | \$ 5,445.00  |
| 16-2                                 | City Magistrate No. 2 .....  | 4,356.00     |
| 16-3                                 | Town of Greer Magistrate .....   | 3,387.96     |
| 16-4                                 | Magistrates, 2 @ \$2,904.00 each .....   | 5,808.00     |
|                                      | Bates Township   |              |
|                                      | West Greenville  |              |
| 16-5                                 | Magistrates, 2 @ \$2,420.04 each .....   | 4,840.08     |
|                                      | Chick Springs Township   |              |
|                                      | Special Sunday and Night Magistrate  |              |
| 16-6                                 | Magistrate, Town of Piedmont .....   | 1,894.80     |
| 16-7                                 | Magistrates, 2 @ \$1,633.56 each .....   | 3,267.12     |
|                                      | Austin Township  |              |
|                                      | Fairview Township  |              |
| 16-8                                 | Magistrates, 2 @ \$695.76 each .....   | 1,391.52     |
|                                      | O'Neal Township  |              |
|                                      | Gantt  |              |
| 16-9                                 | Magistrate, Town of Batesville .....   | 556.56       |
| 16-10                                | Magistrates, 10 @ \$363 each .....   | 3,630.00     |
|                                      | Highland Township  |              |
|                                      | Grove Township   |              |
|                                      | Dunklin Township   |              |
|                                      | Cleveland Township   |              |

|       |  |              |
|-------|--|--------------|
|       | Oaklawn Township                         |              |
|       | Butler Township                          |              |
|       | Paris Mountain Township                  |              |
|       | Glassy Mountain Township                 |              |
|       | Fork Shoals Township                     |              |
|       | Saluda Township                          |              |
|       | <hr/>                                    |              |
|       | Total Salaries, Magistrates              | \$ 34,577.04 |
| 16-11 | Constables, 2 @ \$3,085.44 each          | \$ 6,170.88  |
|       | City Magistrate No. 1                    |              |
|       | City Magistrate No. 2                    |              |
| 16-12 | Constable, Town of Greer                 | 2,571.24     |
| 16-13 | Constable, West Greenville               | 1,815.00     |
| 16-14 | Constables, 2 @ \$1,361.28 each          | 2,722.56     |
|       | Chick Springs Township                   |              |
|       | Town of Piedmont                         |              |
| 16-15 | Constable, Bates Township                | 1,028.52     |
| 16-16 | Constables, 2 @ \$846.96 each            | 1,693.92     |
|       | Austin Township                          |              |
|       | Fairview Township                        |              |
| 16-17 | Constable, O'Neal Township               | 665.52       |
| 16-18 | Constables, 12 @ \$302.52 each           | 3,630.24     |
|       | Highland Township                        |              |
|       | Grove Township                           |              |
|       | Gantt Township                           |              |
|       | Dunklin Township                         |              |
|       | Cleveland Township                       |              |
|       | Oaklawn Township                         |              |
|       | Butler Township                          |              |
|       | Town of Batesville                       |              |
|       | Paris Mountain Township                  |              |
|       | Glassy Mountain Township                 |              |
|       | Fork Shoals Township                     |              |
|       | Saluda Township                          |              |
|       | <hr/>                                    |              |
|       | Total Salaries, Constables               | \$ 20,297.88 |
| 16-19 | Stenographer, City Magistrate No. 1      | \$ 3,857.28  |
| 16-20 | Stenographer, City Magistrate No. 2      | 3,278.64     |
| 16-21 | Clerk, Chick Springs Township Magistrate | 2,892.96     |
| 16-22 | Clerk, Bates Township Magistrate         | 1,935.96     |

|   |          |
|---|----------|
| 16-23 Clerk, Town of Greer Magistrate .....   | 1,475.40 |
| 16-24 Clerk, West Greenville Magistrate ..... | 1,161.60 |

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|   |              |
|---|--------------|
| Total Salaries, Clerical .....  | \$ 14,601.84 |
| 16-100 Office Supplies, City Magistrate No. 1 .....                                 | \$ 250.00    |
| 16-101 Office Supplies, City Magistrate No. 2 .....                                 | 250.00       |
| 16-102 Office Supplies, West Greenville Magistrate ...                              | 150.00       |
| 16-103 Office Supplies, Town of Piedmont Magistrate .                               | 420.00       |
| 16-104 Office Supplies, Chick Springs Magistrate ....                               | 600.00       |
| 16-105 Office Supplies, All other Magistrates (To in-<br>clude Warrant Books) ..... | 1,500.00     |
| 16-106 Rent, Chick Springs Magistrate .....   | 1,800.00     |
| 16-107 Rent, West Greenville Magistrate .....                                       | 700.00       |
| 16-108 Rent, Bates Township Magistrate .....  | 800.00       |
| 16-109 Rent, Town of Piedmont Magistrate .....                                      | 300.00       |
| 16-110 Rent, Town of Greer Magistrate .....   | 300.00       |
| 16-111 Rent, Austin Township Magistrate .....                                       | 300.00       |
| 16-112 Rent, Gantt Township Magistrate .....  | 300.00       |

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Total Expenses & Rent .....

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\$ 7,670.00

TOTAL ITEM 16 .....

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\$ 77,146.76

*Provided*, that each Magistrate shall fully comply with Section 4 of Act No. 837 of the 1956 Acts and Joint Resolutions of the General Assembly, as amended in 1958, relating to the keeping of records and display signs, etc.

Item 17. County Physicians and Attorney

|                                       |             |
|---------------------------------------|-------------|
| 17-1 Physician for Post Mortems ..... | \$ 4,400.04 |
| 17-2 County Physician .....           | 3,630.00    |
| 17-3 County Dentist .....             | 3,300.00    |
| 17-4 County Attorney .....            | 3,214.32    |
| 17-5 County Surgeon .....             | 3,300.00    |

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|   |              |
|---|--------------|
| Total Salaries .....                            | \$ 17,844.36 |
| 17-100 Travel, County Physician .....           | \$ 2,000.04  |
| 17-101 Rent and Expenses, County Attorney ..... | 1,800.00     |

|  |             |
|--|-------------|
| 17-102 Medical Supplies for Convicts . . . . .           | 6,000.00    |
| (To include eye glasses, orthopedic appliances,<br>etc.) |             |
| 17-103 Dental Supplies . . . . .                         | 108.00      |
| <hr/>  |             |
| Total Expenses . . . . .                                 | \$ 9,908.04 |
| <hr/>  |             |

TOTAL ITEM 17 . . . . . \$ 27,752.40

*Provided*, the appropriations for medical supplies and eye glasses, orthopedic appliances, etc. for convicts, shall be spent on certification of the County Physician.

Item 19. Farm Demonstration :

|   |             |
|---|-------------|
| 19-1 Farm Agent . . . . .   | \$ 1,253.64 |
| 19-2 Assistant Farm Agent . . . . .   | 718.80      |
| 19-3 Assistant Farm Agent . . . . .   | 351.36      |
| 19-4 Home Demonstration—White . . . . .   | 1,376.40    |
| 19-5 Assistant Home Demonstration Agent . . . . .   | 399.36      |
| 19-6 Home Demonstration Agent—Colored . . . . .   | 1,189.32    |
| 19-7 Farm Agent—Colored . . . . .   | 479.16      |
| 19-8 Stenographer—Colored . . . . .   | 1,980.00    |
| 19-9 Stenographer . . . . .   | 670.80      |
| 19-10 Stenographer to Farm Demonstration Agent . .  | 1,200.00    |
| <hr/>   |             |
| Total Salaries . . . . .  | \$ 9,618.84 |
| 19-100 Demonstration Supplies . . . . .   | \$ 125.00   |
| 19-101 Stationery & Supplies, Demonstration Agent<br>(Colored) . . . . .                            | 50.00       |
| 19-102 Rent, Heat, Telephone, etc., Colored Farm Agent  | 800.00      |
| 19-103 4-H Club—Boys . . . . .  | 100.00      |
| 19-104 4-H Club—Girls . . . . .   | 100.00      |
| 19-105 4-H Club—Colored . . . . .   | 150.00      |
| 19-106 Future Farmers of America . . . . .  | 200.00      |
| 19-107 Miscellaneous Expense (County Agent) . . . . .   | 120.00      |
| 19-108 Telephone, Home Demonstration Agent (White)  | 170.04      |
| 19-109 Greater Greenville Sanitation Department (To<br>Destroy, Haul and Dispose of Dead Animals) . | 4,500.00    |

|  |          |
|--|----------|
| 19-110 Demonstration Materials, Colored Farm Agent | 50.00    |
| 19-111 Farmer's Wholesale Market .....             | 7,600.00 |

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Total Expenses .....\$ 13,965.04

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TOTAL ITEM 19 .....\$ 23,583.88

Item 20. County Forestry Board:

|  |           |
|--|-----------|
| 20-1 Clerk, 8 months @ \$30.61 per month, 4 months<br>@ \$163.89 per month ..... | \$ 900.44 |
|--|-----------|

---

Total Salaries .....\$ 900.44

|  |             |
|--|-------------|
| 20-100 1 Ranger and 3 Wardens @ \$519.73 per year<br>each for Travel and Expense ..... | \$ 2,078.92 |
|--|-------------|

|  |        |
|--|--------|
| 20-101 4 Towermen, @ \$69.36 per year each for Travel<br>and Expense ..... | 277.44 |
|--|--------|

---

Total Travel & Expense .....\$ 2,356.36

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TOTAL ITEM 20 .....\$ 3,256.80

Item 21. Charitable Institutions:

|   |             |
|---|-------------|
| 21-100 Children's Center .....            | \$ 4,000.00 |
| 21-101 Greenville Rescue Mission .....    | 1,200.00    |
| 21-102 Salvation Army .....               | 1,000.00    |
| 21-103 Simpsonville Relief Agency .....   | 300.00      |
| 21-104 Emergency Maternity Shelter .....  | 31,500.00   |
| 21-105 Fountain Inn Relief Agency .....   | 300.00      |
| 21-106 Civil Defense .....                | 7,500.00    |
| 21-107 Mental Health Clinic .....         | 17,972.00   |
| 21-108 Greenville County Art Museum ..... | 7,500.00    |

*Provided, the City appropriates matching funds.*

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TOTAL ITEM 21 .....\$ 71,272.00

*Provided, that the State Mental Health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be used for the purpose of improving the services at the Greenville Mental Hygiene Clinic.*

## Item 22. Department of Public Welfare:

|        |   |              |
|--------|---|--------------|
| 22-1   | Director, Salary Supplement .....                           | \$ 1,257.84  |
| 22-2   | Supervisors, 6 @ \$52.40 each per month, supplement .....   | 3,772.80     |
| 22-3   | Statistical Clerk, Salary Supplement .....                  | 628.80       |
| 22-4   | Case Workers, 31 @ \$20.95 each per month, supplement ..... | 7,793.40     |
| 22-5   | Clerks, 12 @ \$20.95 each per month, supplement .....       | 3,016.80     |
| 22-6   | Additional Child Worker .....                               | 4,155.96     |
| <hr/>  |   |              |
|        | Total Salaries .....  | \$ 20,625.60 |
| 22-100 | Travel, 10 Case Workers @ \$33.00 per month each .....      | \$ 3,960.00  |
| 22-101 | Travel and Expense, Chairman of Board .....                 | 330.00       |
| 22-102 | Telephone and Western Union .....                           | 2,300.00     |
| 22-103 | Emergency Relief Purposes .....                             | 2,500.00     |
| 22-104 | Foster Home Care .....                                      | 25,100.00    |
| 22-105 | Miscellaneous and Incidentals .....                         | 700.00       |
| <hr/>  |   |              |
|        | Total Expenses .....  | \$ 34,890.00 |
| <hr/>  |   |              |
|        | TOTAL ITEM 22 .....   | \$ 55,515.60 |

*Provided*, that the above appropriation shall be spent on approval by the Department of Public Welfare Board.

## Item 23. Juvenile and Domestic Relations Court:

|  |   |              |
|--|---|--------------|
| 23-1   | Salaries and Travel—Court Personnel ..... | \$ 78,648.34 |
| <i>Provided</i> , that a salary schedule shall be submitted to the county board of commissioners for approval prior to July 1, 1963. |   |              |
| <hr/>  |   |              |
|  | Total Salaries & Travel .....             | \$ 78,648.34 |
| 23-100   | Detention Home Expenses .....             | \$ 9,110.00  |
| 23-101   | Office Supplies and Expense .....         | 4,000.00     |
| 23-102   | Special Mileage Expense .....             | 800.00       |
| 23-103   | Judge's Special Fund .....                | 1,000.00     |
| <hr/>  |   |              |
|  | Total Expenses .....                      | \$ 14,910.00 |
| <hr/>  |   |              |
|  | TOTAL ITEM 23 .....                       | \$ 93,558.34 |

*Provided*, that the above appropriation shall be spent on approval by the Juvenile and Domestic Relations Board.

## Item 24. Rehabilitation Center :

|        |                                 |              |
|--------|---------------------------------|--------------|
| 24-1   | Salaries .....                  | \$ 51,620.90 |
| 24-2   | Salary—Chaplain .....           | 6,000.00     |
|        |                                 | <hr/>        |
|        | Total Salaries .....            | \$ 57,620.90 |
| 24-3   | Travel for Superintendent ..... | \$ 1,300.00  |
|        |                                 | <hr/>        |
|        | Total Travel .....              | \$ 1,300.00  |
| 24-100 | Inmate maintenance .....        | \$ 18,600.00 |
| 24-101 | Institutional Maintenance ..... | 13,400.00    |
| 24-102 | Industries Program .....        | 54,206.00    |
| 24-103 | Permanent Improvements .....    | 5,000.00     |
|        |                                 | <hr/>        |
|        | Total Expenses .....            | \$ 91,206.00 |
|        |                                 | <hr/>        |
|        | TOTAL ITEM 24 .....             | \$150,126.90 |

*Provided*, that the budget of the Rehabilitation Center shall be approved by the Greenville County Legislative Delegation and a salary schedule submitted to the board of commissioners for approval prior to July 1, 1963.

## Item 25. County Home :

|        |   |              |
|--------|---|--------------|
| 25-1   | Salaries .....                              | \$ 13,200.00 |
|        |   | <hr/>        |
|        | Total Salaries .....                        | \$ 13,200.00 |
| 25-100 | Travel for Superintendent .....             | \$ 120.00    |
|        |   | <hr/>        |
|        | Total Travel .....                          | \$ 120.00    |
| 25-101 | Food, Fuel, Supplies, etc. ....             | \$ 33,295.28 |
|        |   | <hr/>        |
|        | Total Expenses .....                        | \$ 33,295.28 |
| 25-102 | Greenville Technical Education Center ..... | \$ 50,025.00 |
|        |   | <hr/>        |
|        | Total .....                                 | \$ 50,025.00 |

*Provided*, Itemized budget be submitted to the delegation for approval prior to July 1, 1963.

TOTAL ITEM 25 .....\$ 96,640.28

*Provided*, that the monies appropriated by separate act for the operation of the Greenville County Nursing Home be administered by the Greenville County Home Board.

*Provided*, further, that the Greenville County Home Board shall submit a budget for the Greenville County Nursing Home to the Greenville County Legislative Delegation for its approval.

*Provided*, further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Greenville County Nursing Home.

Item 28. Extra Help and Office Expenses Service Officer \$ 2,000.00

Total Extra Help and Expenses .....\$ 2,000.00

Item 32. Probation Officer—Supplies .....\$ 250.00

Total .....\$ 250.00

GRAND TOTAL .....\$2,359,806.22

Anticipated approximate revenue indirect levy  
for 1963-1964 applicable to General County purposes approximately .....\$1,970,414.72

Approximate revenue to be raised by levy for  
General County Purposes .....\$389,391.50

**SECTION 3.** Subitems of subdivisions under Section 1, Item 1 of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or subdivision, such diversions to be made by the County Board of Commissioners, and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided*, the total appropriation of Item 1 be not thereby

exceeded; *provided*, further, that like diversion in other items under Section 2 may be likewise made where no salary or fixed charge is thereby affected.

**SECTION 4.** Item 9 entitled "Contingent Fund" of fifteen thousand dollars hereinabove referred to shall be expended in the discretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided*, that notices of any meeting shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

**SECTION 5.** The amount hereinabove appropriated as salary for the County Auditor and County Treasurer are estimates only. The exact amount to be paid by this act appropriated as salary for each of such officers is a sufficient sum to make a total of six thousand five hundred twelve dollars and fifty-two cents when added to the amount paid by the State.

**SECTION 6.** Members of the Board of Assessors for Greenville County, including the members of the Special Board of Assessors for the City of Greenville, shall be paid fifteen dollars per day for their services. The members of the board shall be paid seven cents per mile for all necessary travel incident to their work. The special board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided*, that no one shall be employed for the purpose without the prior approval and authorization of the chairman of the board.

**SECTION 7.** The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any subdistrict of Greater Greenville Sewer District whenever it shall appear to the commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistrict.

**SECTION 8.** The County Board of Commissioners of Greenville County with the approval of the Greenville County Legislative Dele-

gation is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property, real or personal, both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

**SECTION 9.** The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or roads or street or streets within the county, and to pay all cost of construction thereof out of the general fund for Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

**SECTION 10.** No department head of Greenville County shall make any purchase or contract to purchase any materials, supplies, equipment or services in excess of one hundred dollars without prior approval by the county board of commissioners. The Board of Commissioners of Greenville County shall require bids on all purchases over one hundred dollars. Bids for purchases shall be obtained by advertising in a newspaper of general circulation in the county, once a week for two weeks, prior to the acceptance of any bids. The board of commissioners shall have the authority to accept or reject all bids. The board may waive advertisement for bids when it feels it is the best interest of the county to do so.

The Board shall further have the right to formulate such rules and regulations as will insure proper purchasing for the county

and may prescribe such forms and bookkeeping methods as may be necessary to carry out the purposes of this section. No purchases shall be approved by the board which involves any obligation over and above the appropriation provided for such purposes.

**SECTION 11.** Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion or portions of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

**SECTION 12.** All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

**SECTION 13.** No department, agency or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

**SECTION 14.** No full time county employee shall receive extra compensation from the county or private sources for work done on county time or with county equipment or supplies.

**SECTION 15.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R44, H1118)

**No. 549**

**An Act To Provide That The Finance Board Of Greenwood County May Purchase Property For Courthouse Purposes And To Provide For Payment.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Greenwood County may purchase property for courthouse purposes.**—The Finance Board of Greenwood County may purchase for courthouse purposes any property, real or personal, within the block now occupied by the Greenwood County Courthouse. It may pay for the property by cash or on a contractual basis for a period of time. It may issue notes of the county for payment of the purchase price or any part thereof. Payment of any obligation incurred by authority of this act shall be made within six years of

the date of purchase. Interest on any indebtedness incurred by authority of this act shall not exceed three per cent per annum.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R61, H1165)

**No. 550**

**An Act To Authorize The Board Of Trustees Of School District No. 52 Of Greenwood County To Borrow Not Exceeding One Hundred Eighteen Thousand Dollars; To Specify The Use Of The Money Borrowed; And To Provide For Its Repayment.**

Whereas, the General Assembly finds that by a vote of the qualified electors in School District No. 52 of Greenwood County, in a special election held in the district on August 7, 1962, a bond issue in the sum of two hundred thousand dollars was overwhelmingly approved for the purpose of defraying a portion of the cost of building and equipping a new high school building; and that such facilities and others in connection therewith are needed for school purposes of the district; and that it is necessary to provide more funds for the purpose of completing and equipping the high school and school facilities in connection therewith. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School District 52 of Greenwood County may issue notes or bonds.**—The Board of Trustees of School District No. 52 in Greenwood County is empowered to acquire or construct and equip a high school for the district and to provide other school facilities in connection therewith or to be used by the school system of the district, and may proceed through the borrowing of not exceeding one hundred eighteen thousand dollars and give notes of the district therefor or in lieu thereof issue general obligation bonds not exceeding one hundred eighteen thousand dollars and through such other funds as may now be available or may be made available for the district.

**SECTION 2. Maturity.**—All notes or bonds shall mature in such annual series or installments as the board shall provide, except that the first maturing notes or bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature

in each year; and no note or bond shall mature later than twenty years from the date of issue.

**SECTION 3. Redemption.**—Any note or bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the board, if any, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

**SECTION 4. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenwood County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 5. Where applicable—interest.**—The notes or bonds shall be made payable at such places, within or without the State, as the board shall provide, and shall bear interest at rates determined by the board.

**SECTION 6. Execution.**—The notes or bonds and the coupons to be attached to the bonds shall be executed in such manner as the board shall by resolution prescribe, and shall be sold at private or public sale at a price of not less than par and accrued interest to the date of their respective deliveries.

**SECTION 7. Payment.**—For the payment of the principal and interest of all notes or bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Greenwood County, and collected by the Treasurer of Greenwood County, in the same manner as county taxes are levied and collected, on all taxable property in the school district a tax sufficient to pay the principal and interest of the notes or bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 8. Exempt from taxes.**—The principal and interest of the notes or bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 9. Proceeds.**—The proceeds from the borrowing and issuing of any notes and the proceeds derived from the sale of any bonds shall be paid to the Treasurer of Greenwood County, to be deposited in a fund for the school district, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such notes or bonds;

(b) Any premium shall be applied to the payment of the first installment of principal of such notes or bonds;

(c) The remaining proceeds shall be expended, upon the warrant or order of the board, for the following purposes:

(1) To defray the costs of issuing the notes or bonds;

(2) To provide for additional public school facilities for the school district in the manner contemplated by this act;

(d) If, after the final completion of the board's program, the board shall certify to the Treasurer of Greenwood County that any remaining balance in the account is no longer needed for its program, then such balance shall be held by the treasurer and used to effect the retirement of the notes or bonds then outstanding, which shall have been issued pursuant to this act.

**SECTION 10. Powers to be additional.**—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

**SECTION 11. No further action required to issue notes or bonds.**—No action other than that prescribed in this act need be taken to effect the issuance of the notes or bonds, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

**SECTION 12. May borrow from Division of Sinking Funds and Property.**—The trustees may borrow any portion of the funds provided for herein from the Division of Sinking Funds and Property. Should there be a default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment

of such installment, and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R210, S271)

**No. 551**

**An Act To Amend Act No. 1121 Of The Acts Of 1962, Relating To The Courthouse Renovating And Building Committee For Greenwood County, So As To Make Further Provision For The Powers And Expenditures Of The Committee.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 2 of Act 1121 of 1962 amended—expenses and acquisition of land.**—Section 2 of Act No. 1121 of the Acts of 1962 is amended to read as follows:

“Section 2. (a) The expenses incurred by the Committee for the services of architects, engineers and other necessary services shall be paid from the general fund of the county by the county finance board upon vouchers signed by the chairman of the Committee.

(b) The county finance board, in addition to other authority granted by law, is authorized to acquire all the lands in the block where the present courthouse is located for the purpose of building a new courthouse, parking area, and other public buildings for the county.

(c) The expenses incurred in connection with the payment for services of architects, engineers and other necessary services, and for the purpose of purchasing land for the purposes above set forth, shall not exceed one hundred twenty thousand dollars, *provided*, however, the purchase of the property herein authorized is in addition to the authority granted to the finance board under Act No. 1035 of the Acts of 1960 and any other provisions of law.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

(R261, S306)

**No. 552**

**An Act To Authorize The Board Of Trustees Of School District No. 52 Of Greenwood County To Borrow Not Exceeding One Hundred Eighteen Thousand Dollars From The Greenwood County Sinking Fund Or General Fund, To Authorize Greenwood County To Lend Such Funds, To Specify The Purposes For Which The Monies May Be Used And To Provide For The Payment Of The Loan.**

Whereas, the Board of Trustees of School District No. 52 of Greenwood County, by authority of an Act of 1963, bearing ratification number 61, has been authorized to borrow not exceeding one hundred eighteen thousand dollars and to issue notes or bonds of the district in payment thereof; and

Whereas, it will be some time before the money can be borrowed pursuant to the act and it is necessary to borrow funds in the interim with which to pay for the cost of constructing a high school building, the purchase of land in connection therewith and to provide the equipment and other facilities in connection with the high school. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenwood County School District 52 may borrow money.**—Pending the borrowing of money by the board of trustees of School District No. 52 of Greenwood County (hereinafter called the "board"), by authority of an Act of 1963 bearing ratification number 61, the board shall borrow from the Greenwood County Sinking Fund or General Fund a sum not exceeding one hundred eighteen thousand dollars and shall issue a note of the district therefor. The note shall mature one year from the date of issuance and shall bear interest at the rate of three per cent per annum with the privilege of prepayment at any time without premium or fee and the board shall prepay from the proceeds of the sale of the notes or bonds provided under an Act of 1963 bearing ratification number 61.

**SECTION 2. Finance Board to make loan.**—The Finance Board of Greenwood County shall make a loan to the Board of Trustees of School District No. 52 of Greenwood County in a sum not exceeding one hundred eighteen thousand dollars payable as provided in Section 1 and for the purposes stated in the preamble of this act.

**SECTION 3. Powers to be additional.**—The powers and authorizations hereby conferred upon the board shall be in addition to all other powers and authorizations previously vested in the board and may be availed of pursuant to action taken at any regular or special meeting of the board.

**SECTION 4. No further action necessary.**—No other action than that prescribed in this act need be taken to effect the issuance of the note, nor shall the board be required to obtain the approval of any public agency to any action taken pursuant to the authorizations of this act.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1963.

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(R288, H1534)

**No. 553**

**An Act To Authorize The Board Of Trustees Of School District No. 50 Of Greenwood County, To Borrow Not Exceeding One Hundred Twenty-Five Thousand Dollars.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Greenwood County School District 50 may provide school facilities.**—The Board of Trustees of School District No. 50, Greenwood County, is empowered to purchase land, to construct buildings for school purposes, to equip same and to provide other school facilities in connection therewith or to be used by the school system of the district.

**SECTION 2. May borrow money.**—The Board, for the purposes set out in this act, is authorized to borrow not exceeding the sum of one hundred twenty-five thousand dollars and to issue the note or notes of the district therefor.

**SECTION 3. Notes—maturity.**—The note or notes shall mature in such manner as the Board shall provide, except that all note or notes shall be paid within five years from the date issued.

**SECTION 4. Redemption.**—Any note issued pursuant to this act may be issued with the provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption

premium as may be prescribed by the Board, if any, and may be sold at public or private sale.

**SECTION 5. Where payable—interest—execution—sale.**—The note or notes shall:

- (1) Be made payable at such places, within or without the State, as the Board may provide;
- (2) Bear interest at rates determined by the Board;
- (3) Be executed in such manner as the Board shall, by resolution, prescribe; and
- (4) Be sold at a price not less than par and accrued interest to the date of their respective deliveries.

**SECTION 6. Payment.**—For the payment of the principal and interest of any note or notes as they respectively mature, the full faith, credit and taxing power of the district shall be irrevocably pledged, and there shall be levied annually by the auditor and collected by the Treasurer of Greenwood County, in the same manner as county taxes are levied and collected, on all taxable property in the district a tax sufficient to pay the principal and interest of the note or notes, and to create such sinking fund as may be necessary therefor.

**SECTION 7. Exempt from taxes.**—The principal and interest of the note or notes issued pursuant to this act shall have the same tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 8. Powers to be additional.**—The powers and authorizations hereby conferred upon the Board shall be in addition to all other powers and authorizations previously vested in the Board, and may be availed of pursuant to action taken at any regular or special meeting of the Board.

**SECTION 9. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

**An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding Forty-Five Thousand Dollars; To Specify The Use Of The Money Borrowed; To Prescribe The**

**Conditions Under Which The Money Shall Be Borrowed; And To Make Provisions For The Payment Thereof.**

Whereas, the General Assembly finds that it is necessary to construct a home for nurses and personnel who are rendering service to Brewer Hospital in Greenwood County and who from time to time are employed at Brewer Hospital. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Greenwood County may borrow money—notes.—**

That for the purpose of building a home for nurses and other personnel who work or may work at Brewer Hospital in the County of Greenwood, and for the purpose of equipping and furnishing same, the Finance Board of Greenwood County is hereby authorized to borrow not exceeding forty-five thousand dollars, and to give notes of the county therefor or issue general obligation bonds of the county not exceeding forty-five thousand dollars.

**SECTION 2. Maturity.**—All notes or bonds shall mature in such annual series or installments as the Finance Board shall provide, except that the first maturing notes or bonds shall mature within three years from the date of issue; not less than three per cent of the bonds shall mature in each year; and no note or bond shall mature later than twenty years from the date of issue.

**SECTION 3. Redemption.**—Any note or bond may be issued with a provision permitting its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the Finance Board, but no bond shall be redeemable prior to its stated maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds provision shall be made specifying the manner of call and the notice thereof that must be given as to bonds made redeemable prior to their stated maturities.

**SECTION 4. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Greenwood County, upon such conditions as the Finance Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 5. Where payable—interest.**—The notes or bonds shall be made payable at such places, within or without the State, as the Finance Board shall provide, and shall bear interest at rates determined by the Finance Board.

**SECTION 6. Execution—sale.**—The notes or bonds and the coupons to be attached to the bonds shall be executed in such manner as the Finance Board shall by resolution prescribe, and shall be sold at private or public sale at a price of not less than par and accrued interest to the date of their respective deliveries.

**SECTION 7. Payment.**—For the payment of the principal and interest of all notes or bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of Greenwood County shall be irrevocably pledged, and there shall be levied annually by the Auditor, and collected by the Treasurer of the county, on all taxable property in the county, a tax sufficient to pay the principal and interest of the notes or bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 8. Exempt from taxes.**—The principal and interest of the notes or bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 9. Proceeds.**—The proceeds derived from the notes or bonds shall be paid to the Treasurer of Greenwood County and deposited in a fund for Brewer Hospital. The Treasurer shall expend that portion of such money, pursuant to the terms of this act, under such rules and regulations as may be promulgated by the Finance Board. The money shall be used exclusively for the purpose of building and erecting a home for nurses and the equipping and furnishing of same, except that if bonds are issued:

(a) All accrued interest shall be applied to the payment of the first installment of interest to become due on the bonds;

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first installment of principal of such bonds;

(c) The remaining proceeds shall be used upon proper warrant to defray the cost of issuing the bonds authorized hereby and to pay the cost of the improvements for which the bonds are issued; and

(d) If any balance remain it shall be held by the treasurer of the county in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 10. Gifts and grants.**—The Finance Board is authorized, for the county, to accept such gifts and grants as may be tendered and which are considered by the Board to be beneficial and which will further the building, equipping, and furnishing of the home for nurses as provided by this act.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R378, H1702)

**No. 555**

**A Joint Resolution Proposing An Amendment To Section 5 Of Article X Of The Constitution, Relating To The Bonded Indebtedness Of Certain Political Subdivisions, So As To Permit Ninety Six School District No. 52 In Greenwood County To Incur Bonded Indebtedness Up To Eighteen Per Cent Of The Assessed Value Of The Taxable Property Therein.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Amendment to Article X, Section 5, State Constitution, proposed—bonded indebtedness of Ninety Six School District 52 of Greenwood County.**—There is proposed the following amendment to Section 5 of Article X of the Constitution of this State: add at the end of the section the following proviso: "*Provided*, that the limitations as to bonded indebtedness imposed by this section shall not apply to Ninety Six School District No. 52 in Greenwood County, the State of South Carolina, and that the school district may incur bonded indebtedness for school purposes to an amount not exceeding eighteen per cent of the assessed value of all taxable property therein."

**SECTION 2. Submission to electors.**—The proposed amendment shall be submitted to the qualified electors at the next general election for representatives. Ballots shall be provided at the various voting precincts with the following words printed or written thereon: "Shall Section 5 of Article X of the Constitution of this State be amended so as to permit Ninety Six School District No. 52 in Greenwood County to increase its bonded indebtedness up to eighteen per cent of the assessed value of the taxable property therein?"

In favor of the amendment ☐Opposed to the amendment ☐

Those voting in favor of the amendment shall deposit a ballot with a check or cross mark in the square after the words 'In favor of the amendment', and those voting against the amendment shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to the amendment'."

Ratified the 16th day of May, 1963.

(R520, S429)

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No. 556

**An Act To Create The Star Fort Historical Commission In Greenwood County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Historical Commission for Greenwood County created—powers.**—There is hereby created the Star Fort Historical Commission to acquire, protect, preserve and restore for historical, educational and recreational purposes the site in Greenwood County containing the ruins of Star Fort and the village of Old Ninety Six. The commission is empowered to accept gifts and public appropriations, and to cooperate and contract with public and private agencies for carrying out its purposes.

**SECTION 2. Members — appointment — terms — reports.**—The commission shall be composed of ten members as follows: seven members appointed for terms of four years each by the Governor upon the recommendation of a majority of the Greenwood County Legislative Delegation, including the Senator, and the State Archaeologist, the State Forester and the Director of the State Archives, as ex officio members. Terms of initial appointees shall commence July 1, 1963. The commission shall elect from among its appointed members a chairman and a secretary-treasurer, each for terms of one year and until his successor is elected and qualifies. The commission shall annually make a written report to the county legislative delegation of its activities during the preceding year.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R668, H1784)

## No. 557

**An Act To Provide For The Levy Of Taxes For Greenwood County For The Fiscal Year 1963-1964, And For The Expenditure Thereof; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For The Expenditure Thereof; To Validate Prior Actions Or Disbursements; To Authorize The Publication Of Financial Statements; And To Provide Penalties For The Violation Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1963, and ending June 30, 1964, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and Finance Board of Greenwood County.

**SECTION 2.** There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1963, and ending June 30, 1964, the following sums of money in the amounts and for the purposes herein set forth as follows :

Item 1. Road Maintenance Supervision :

|  |              |
|--|--------------|
| A-1. Groceries .....   | \$ 11,000.00 |
| A-2. Salaries and Labor .....  | 42,000.00    |
| A-3. Fuel Oil and Grease .....   | 16,000.00    |
| A-4. Bridge Material .....   | 10,000.00    |
| A-5. Road Material .....   | 12,000.00    |
| A-6. Clothing and Camp Service .....   | 8,000.00     |
| A-7. Medical Service and Medicine, Insurance on<br>county equipment and miscellaneous items .... | 4,000.00     |
| A-8. Parts and Repairs .....   | 20,000.00    |
| A-9. Maintenance and Building of Surface Treated<br>Roads.                                       |              |

The Supervisor of Greenwood County shall be responsible for repairing and maintaining all improved and surface treated roads in the coun-

ty system. He further shall be responsible for making, grading, improving, and building such surface treated roads as might be designated from time to time and for which funds have been appropriated by the Greenwood County Legislative Delegation. *Provided*, that all contracts for road construction and resealing shall be entered into upon the basis of sealed bids, after advertisement therefor, with the right reserved to the county to reject any and all bids as to any particular project.

|   |          |
|---|----------|
| B. Supervisor's Salary .....  | 6,000.00 |
| C. Clerk of Finance Board, Salary .....   | 6,000.00 |
| D. Secretary to Supervisor and Finance Board..  | 3,150.00 |
| E. Additional Clerical Help .....   | 600.00   |
| F. County Physician .....   | 600.00   |
| Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; <i>provided</i> , the County Physician shall be selected by a majority vote of the Finance Board. |          |

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Total Item 1 .....\$139,350.00

Item 2. Law Enforcement:

A. Sheriff's Salaries and Transportation:

|  |             |
|--|-------------|
| A-1. Sheriff's Salary .....                      | \$ 6,000.00 |
| A-2. Eight Deputy Sheriffs at \$4,150 each ..... | 33,200.00   |
| A-3. Secretary to Sheriff .....                  | 2,900.00    |
| A-4. Transportation of Prisoners .....           | 300.00      |

B. Constables:

|   |          |
|---|----------|
| B-1. At Ninety Six Cotton Mill .....  | 4,100.00 |
| <i>Provided</i> , the Ninety Six Cotton Mill shall reimburse Greenwood County for \$2,050.00.   |          |
| B-2. His Auto Upkeep and Traveling Expenses....   | 200.00   |
| <i>Provided</i> , that Ninety Six Cotton Mill shall match this travel with the same amount.     |          |
| B-3. Matthews Mill (1) .....  | 4,100.00 |
| <i>Provided</i> , that Matthews Mill shall reimburse Greenwood County in the sum of \$2,050.00. |          |
| B-4. His Auto Upkeep and Traveling Expenses...  | 200.00   |

- Provided*, that Matthews Mill shall match this travel with the same amount.
- B-5. At Ware Shoals, County's one-half part of four constables at \$2,050.00 ..... 8,200.00
- B-6. Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals ..... 600.00  
*Provided*, that Ware Shoals shall match this travel with the same amount.
- B-7. Harris Mill ..... 4,100.00  
*Provided*, Harris Mill shall reimburse Greenwood County in the sum of \$2,050.00.
- B-8. Auto Upkeep and Travel Expense, Harris Mill Deputy ..... 200.00  
*Provided*, Harris Mill shall match this travel with the same amount.  
*Provided*, that the appropriations for auto expenses and traveling expenses provided for in Item 2, B-2, B-4, B-6, B-8, shall be paid to the respective mill companies and shall be disbursed by them.
- B-9. Ware Shoals West End—Law Enforcement, two deputies, salary to be fixed by association. This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose. .... 4,100.00  
*Provided*, all constables provided for herein shall be subject solely to the direction and supervision of the sheriff of the county, and any vacancies occurring among the constables shall be filled by the sole appointment of the sheriff.  
*Provided*, further, all constables provided for herein shall have jurisdiction throughout the

County of Greenwood, any provision of law to the contrary notwithstanding.

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|--|----------|
| C. Jail Expenses, including dieting of prisoners at \$1.25 per day .....   | 8,000.00 |
| D. National Guard Units .....  | 1,750.00 |
| <i>Provided</i> , that this amount shall be divided among the various units and armories located in Greenwood County on the basis of \$500.00 to each armory and \$250.00 to each unit.  |          |
| E. One-half of Fingerprint and Picture Record of all prisoners (other half by City) .....  | 360.00   |
| F. Secret Service Work .....   | 100.00   |
| <i>Provided</i> , that a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.  |          |
| G. Officers' Uniforms .....  | 2,362.50 |
| <i>Provided</i> , that this appropriation shall be disbursed as follows: eight deputy sheriffs in sheriff's office and Delinquent Tax Collector, \$175.00 each; all other constables and deputies (9), as the county's half part, \$87.50 each, <i>provided</i> , that the same be matched as to each constable as hereinabove provided for travel and auto expense.   |          |
| H. Insurance on Officers' Cars .....   | 2,100.00 |
| I. Clerk of Court .....  | 1,300.00 |
| The office of clerk of court is a fee office supplemented by the amount provided above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; <i>provided</i> , however, that should the clerk's income be less than \$6,000.00 after payment of salary of clerk and other temporary or emergency assistance paid on a proportionate basis to the salaries of other county clerical employees and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses. |          |

|   |           |
|---|-----------|
| J. Attorney .....   | 1,200.00  |
| <i>Provided</i> , the attorney shall be selected by majority vote of the Finance Board.   |           |
| K. Coroner:   |           |
| K-1. Salary .....   | 1,050.00  |
| K-2. Telephone at his residence .....   | 37.00     |
| K-3. Travel .....   | 300.00    |
| L. Post Mortems, Inquests and Mental Commitments .....  | 2,000.00  |
| M. Inquest Jurors .....   | 200.00    |
| N. Magistrates:   |           |
| N-1. Greenwood .....  | 4,800.00  |
| N-2. Ware Shoals .....  | 2,200.00  |
| N-3. Ninety Six .....   | 1,250.00  |
| N-4. Hodges and Cokesbury .....   | 1,000.00  |
| N-5. Troy .....   | 125.00    |
| N-6. Oak Grove .....  | 125.00    |
| N-7. Callison, Phoenix and Kirksey .....  | 125.00    |
| <i>Provided</i> , the salaries designated shall be the full compensation of the magistrates and all fees for civil and criminal procedures shall be remitted by the magistrates to the county treasurer and credited to the general fund of the county.   |           |
| N-8. Clerk for Greenwood Magistrate .....   | 2,900.00  |
| O. Jurors and Witnesses in Circuit Court .....  | 10,000.00 |
| <i>Provided</i> , that grand jurors receive \$10.00 per day each and petit jurors and bailiffs receive \$7.50 per day each and ten cents per mile one way for term.   |           |
| P. Jurors serving in Magistrates' Courts in criminal cases only .....   | 400.00    |
| <i>Provided</i> , that Jurors serving Magistrates' Courts shall receive two dollars per day.  |           |
| Q. Judge of Probate .....   | 5,400.00  |
| <i>Provided</i> , the salary hereby appropriated shall be in lieu of all fees received by the judge of probate for the services and processes of his office and all such fees shall be remitted by the judge of probate to the county treasurer and credited to the general fund of the county; <i>pro-</i> |           |

*vided*, however, that this shall not affect the statutory rebates of inheritance tax provided under Section 27-303, Code of Laws of South Carolina, 1962, which section provides that the probate judge shall receive such rebates in addition to his other fees and salaries; *provided*, further, this clause shall have no effect upon services rendered as master in equity, which is a separate capacity and the fees for which services are designated by general state law.

|   |                    |
|---|--------------------|
| Clerk for Judge of Probate and Master .....   | 3,000.00           |
| R. Clerical Assistance, Probation Officer, Greenwood County share .....                           | 400.00             |
| S. Coordinator between the solicitor and the police officers of the Eighth Judicial Circuit ..... | 1,800.00           |
| Total Item 2 .....  | <hr/> \$122,484.50 |

## Item 3. Farm Aid:

|  |                   |
|--|-------------------|
| A. County Agent—Salary Supplement .....  | \$ 360.00         |
| B. Negro Home Agent—Salary and Travel .....  | 720.00            |
| C. Supplies:   |                   |
| 1. Home Demonstration Agent .....  | 75.00             |
| 2. Negro Home Agent .....  | 50.00             |
| 3. Negro Agricultural Agent .....  | 50.00             |
| D. Home Demonstration Work for Girls .....   | 100.00            |
| E. Home Demonstration Work for Negro Girls..   | 100.00            |
| F. Boys' 4-H Club Work .....   | 100.00            |
| G. Negro Boys' 4-H Club Work .....   | 100.00            |
| H. Clerical Assistance—Negro Agent .....   | 1,200.00          |
| I. Office Rent—Negro Agent .....   | 135.00            |
| J. Vocational Agriculture Teacher—Travel .....   | 240.00            |
| K. Fire Control, payable \$600.00 each to fire ranger and two fire wardens for expense and \$450.00 supplement to salary of tractor operator | 2,250.00          |
| L. County Breeders Association—aid to artificial insemination program .....  | 600.00            |
| Total Item 3 .....   | <hr/> \$ 6,080.00 |

## Item 4. Collection of Taxes:

## A. Salaries:

A-1. Treasurer's Salary .....\$ 2,153.00

This amount in addition to the amount provided  
by the State provides a total salary for the Treas-  
urer of \$6,000.00.

A-2. Chief Clerk for Treasurer ..... 3,150.00

A-3. Assistant Clerk for Treasurer ..... 2,900.00

Extra help—Treasurer's office ..... 600.00

A-4. Travel and official expense for Treasurer ..... 220.00

A-5. Auditor's Salary ..... 2,153.00

This amount in addition to the amount provided  
by the State provides a total salary for the Au-  
ditor of \$6,000.00.

A-6. Travel allowance for Auditor ..... 220.00

A-7. Chief Clerk for Auditor ..... 3,150.00

A-8. Assistant Clerk for Auditor ..... 2,900.00

Extra help—Auditor's Office ..... 1,000.00

A-9. Tax Collector ..... 4,150.00

A-10. Secretary to Tax Collector ..... 2,900.00

C. Board of Assessors and Tax Appeals ..... 3,500.00

C-1. Travel ..... 320.00

## D. Tax Assessor and Mapping Office

Salary of assessor and mapper ..... 4,800.00

Tape Man ..... 1,300.00

Utilities ..... 250.00

Engineering Fee ..... 300.00

Clerical assistance ..... 2,600.00

*Provided*, any future employment of this office  
must be confirmed by the Senator and a majority  
of the members of the House of Representatives  
from Greenwood County.

## E. Sending Out Tax Notices:

E-1. Treasurer's Office ..... 1,100.00

E-2. Delinquent Tax Collector's Office ..... 400.00

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Total Item 4 .....\$ 40,066.00

## Item 5. Health Service:

- |   |              |
|---|--------------|
| A. County Health Department .....   | \$ 44,044.00 |
| <i>Provided</i> , that the County Finance Board and the County Legislative Delegation shall be furnished one itemized statement of expenditures of this money.  |              |
| <i>Provided</i> , further, the increased \$3,634.00 in the appropriation for this department is for the purpose of providing additional clerical help and increasing the mileage allowance of employees to nine cents per mile, traveled on department duty.                        |              |
| B. Charity Patients at Self Memorial Hospital or other institutions as approved by the Department of Public Welfare .....   | 15,756.00    |
| C. Brewer Hospital, for charity patients to be disbursed in twelve equal monthly payments ....  | 50,040.00    |
| D. Mental Health Clinic for the participation of Greenwood County in a Regional Mental Health Program or Clinic if such a program is instituted with the approval of the South Carolina Mental Health Commission, and in accord with the proposal submitted to the Delegation ..... | 6,260.00     |

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Total Item 5 .....\$116,100.00

## Item 6. Public Welfare and Other Assistance:

- |   |             |
|---|-------------|
| A-1. For boarding homes and emergency relief and matching State funds if needed .....   | \$ 2,000.00 |
| A-2. Telegrams and Long Distance Telephone calls .....  | 100.00      |
| A-3. Expenses of Child Welfare Worker .....   | 600.00      |
| <i>Provided</i> , that the above sum shall be payable in equal monthly installments of \$50.00 without the necessity of itemizing same. |             |
| A-4. To supplement salaries of personnel of Department of Public Welfare, to be administered by the County Welfare Board .....          | 3,420.00    |
| C. Veterans' Service Office:  |             |
| C-1. Salary of Service Officer .....  | 5,400.00    |
| C-2. Salary of Office Help .....  | 2,900.00    |
| C-3. Office Expense and Travel .....  | 300.00      |

*Provided*, the funds, if any, provided by the State for the support of Veterans' Service Officer of Greenwood County shall be applied to the payment of the foregoing salaries and expenses and not duplicated.

C-4. Office Rent for Service Officer ..... 425.00

Total Item 6 ..... \$ 15,145.00

Item 7. Contractual Services:

A-1. Public Buildings, including water, fuel, lights and insurance, and extra janitorial help ..... \$ 10,000.00

A-2. Repairs at Lander College ..... 10,000.00  
(Including repair of boiler in main building)

B. Printing and Stationery ..... 1,500.00

C-1. Postage ..... 650.00

C-2. Office Supplies ..... 2,500.00

C-3. Office Equipment and Repairs ..... 2,400.00

C-4. Clerk of Court, Supplies ..... 7,500.00

D. Telephone and Telegrams ..... 3,800.00

Telephones shall be located one each in the office of the Sheriff, Supervisor, Treasurer, Auditor, Superintendent of Education, Clerk of Court, Judge of Probate, Grand Jury Room, Service Officer, Tax Collector, Home Demonstration Agent, one in Colored County Agent's Office and one each in the homes of the Sheriff, the eight deputy sheriffs stationed at the Courthouse, the eight State patrolmen doing law enforcement work at \$4.00 each per month, the chief constables stationed at Ware Shoals Manufacturing Company, Matthews Cotton Mill, Harris Mill and Ninety Six Cotton Mill; *provided*, one-half of the necessary charges for the telephone service in the homes of the deputies stationed in the cotton mill villages shall be contributed by the respective cotton mill companies. All long distance messages shall be itemized and verified before payment from this fund.

E. Janitor Service ..... 4,680.00

H. Pauper's Funerals ..... 300.00

|   |              |
|---|--------------|
| I. Workmen's Compensation Fund .....  | 1,500.00     |
| J. Premiums of Officers' Bonds .....  | 1,000.00     |
| K. South Carolina Retirement System and Social Security .....   | 15,000.00    |
| L. Servicing radios in Sheriff's cars .....   | 600.00       |
| M. Airport utilities, county's share .....  | 450.00       |
| N-1. Central gas, oil and servicing for county-owned cars .....   | 4,000.00     |
| N-2. Gas and oil for county-owned cars when away from central supply .....  | 100.00       |
| N-3. Central Fund—parts, repairs and tires for county-owned cars .....  | 3,000.00     |
| O-1. Secretary to Delegation .....  | 480.00       |
| O-2. Postage and Supplies, Delegation .....   | 25.00        |
| <hr/>   |              |
| Total Item 7 .....  | \$ 69,485.00 |
| Item 8. Domestic Relations Court:   |              |
| A. Salaries:  |              |
| A-1. Judge .....  | \$ 4,400.00  |
| A-2. Probation Officer .....  | 4,400.00     |
| A-3. Secretary .....  | 3,150.00     |
| A-4. Assistant Probation Officer .....  | 3,150.00     |
| B. Travel Allowance:  |              |
| B-1. Probation Officer .....  | 300.00       |
| B-2. Assistant Probation Officer .....  | 500.00       |
| <i>Provided, that the above shall be payable in equal monthly installments without the necessity of itemizing same.</i> |              |
| C. Telephone, Stationery, Stamps and Office Supplies .....  | 2,150.00     |
| D. Miscellaneous Expense Fund .....   | 300.00       |
| <hr/>   |              |
| Total Item 8 .....  | \$ 18,350.00 |
| Item 9. Miscellaneous:  |              |
| A. Civil Air Patrol .....   | \$ 400.00    |
| B. Civil Defense, for expenses, supplies, equipment and administration .....  | 5,000.00     |

*Provided*, that the civil defense program of the county qualify to receive matching funds from State and Federal sources.

|  |        |
|--|--------|
| C. Planning Commission .....   | 200.00 |
| D. Greenwood Rescue Squad .....  | 400.00 |
| E. Registration Board—supplement to salaries of members of board at \$200.00 per member .... | 600.00 |

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Total Item 9 .....\$ 6,600.00

- Item 10. Miscellaneous Contingent Fund for emergencies and unforeseen expenditures during the fiscal year 1963-1964, and for the auditing of county books and county participation in the data processing commission .....\$ 12,500.00

*Provided*, in no event shall any portion of this fund be used for an account for which a specific appropriation is made herein.

*Provided*, further, the financial books and records of the county for the preceding fiscal year shall be audited by such certified public accountant as shall be designated by the county legislative delegation, in accord with the provisions of Section 14-2221 of the 1962 Code.

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Total Item 10 .....\$ 12,500.00

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GRAND TOTAL .....\$546,160.50

Anticipated Revenue 1963-1964 other than taxation:

|  |              |
|--|--------------|
| Fines, Forfeitures and Licenses .....                        | \$ 62,500.00 |
| Insurance License Tax .....                                  | 40,000.00    |
| Beer, Wine and Whiskey Tax .....                             | 50,000.00    |
| Delinquent Taxes and Execution Fees .....                    | 25,000.00    |
| Bank Tax .....   | 9,000.00     |
| Reimbursement from industrial companies for constables ..... | 6,150.00     |
| Revenue from Income Tax .....                                | 50,000.00    |
| State Contribution for Service Officer .....                 | 4,815.00     |
| National Forest Fund .....                                   | 6,500.00     |

|   |              |
|---|--------------|
| Unpledged Revenue from gasoline tax ..... | 46,000.00    |
| Miscellaneous income and interest .....   | 19,500.00    |
|   | <hr/>        |
| Total .....                               | \$319,465.00 |
|   | <hr/>        |
| Balance to be raised by taxation .....    | \$226,695.50 |

**SECTION 3.** The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1963-1964, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

**SECTION 4.** The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby authorized and empowered to make regulations or take such action as may be necessary under any emergency which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action.

**SECTION 5.** In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County

Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

**SECTION 6.** Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the County Treasurer may deem desirable. This service to the taxpayers being gratuitous, no obligation shall rest upon the county or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

**SECTION 7.** The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claim unless so drawn.

**SECTION 8.** There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by the Senator and the majority of the Greenwood County Legislative Delegation for the following purpose, to wit: clerical assistance to the Board, compensation and travel expenses of the appointed members of the County Board of Education, adult education, aid for school bus transportation, salary supplement and travel of Superintendent of Education, and for such other educational purposes as may be determined by the County Board of Education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, and travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold the pro-

ceeds therefrom, subject to the orders of the County Board of Education for Greenwood County.

**SECTION 9.** Any officer or employee who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County kept on file in the office of the County Treasurer, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

**SECTION 10.** A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

**SECTION 11.** The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The Department of Public Welfare is hereby designated as the agency to make financial investigations for those patients requesting charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department Of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

*Provided*, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days, unless the Finance Board shall have previously approved a longer stay. The Finance Board may approve a longer stay if it is made to satisfactorily appear from statements from the superintendent of the hospital, the doctor in charge of the patients, and the Department of Public Welfare that a longer

stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided*, further, that in no event shall more than four thousand eight hundred dollars be expended or obligated in any one calendar month for all charity patients.

**SECTION 12.** Members of county boards and commissions and county employees using their own automobiles in travel on county business shall receive reimbursement therefor at the rate of nine cents per mile actually traveled on county business, to be paid from appropriations provided therefor. *Provided*, that this section shall not apply to county officers for whom there is appropriated a lump sum travel allowance.

**SECTION 13.** The County Treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of the county as of December 31, 1963, and June 30, 1964.

**SECTION 14.** All actions or disbursements taken or made during the current fiscal year, as a result of any resolution or action by the Legislative Delegation of Greenwood County, are hereby validated, ratified, confirmed and declared to be legal and binding.

**SECTION 15.** Monies accruing to Greenwood County from the one cent gasoline tax for the fiscal year 1963-64 shall be used and are hereby appropriated as follows:

ESTIMATE OF FUNDS TO BE RECEIVED . . . . . \$184,000.00

(1) The sum of sixty-three thousand dollars, or the necessary amounts, in payment of principal, interest and fiscal agents fees of road bonds and notes;

(2) The sum of forty-six thousand dollars to be applied on the appropriations herein provided for road maintenance and supervision;

(3) The sum of twenty thousand dollars for a county road improvement and surfacing program;

(4) The sum of twenty-seven thousand five hundred dollars to the City of Greenwood for street improvements;

(5) The sum of two thousand five hundred dollars to the Town of Ninety Six for street improvements;

(6) The sum of fifteen thousand dollars for the purchase of automobiles and equipment for the road maintenance program;

(7) The sum of ten thousand dollars for the payment of obligations becoming due upon road reimbursement contracts.

*Provided*, however, the sums appropriated to the City of Greenwood and the Town of Ninety Six shall not become due and payable until the amounts above pledged for items one, two and three have been paid or the funds therefor set aside.

**SECTION 16.** Any surplus in the general fund of the county or any funds accruing from any other source to the credit of the General Fund for Greenwood County during the fiscal year shall be used as a contingent fund and spent on the authorization of a majority of the Greenwood Legislative Delegation including the Senator.

**SECTION 17.** If any clause, phrase, sentence, paragraph, or section of this act shall be held invalid, same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

**SECTION 18.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R676, S500)

No. 558

**An Act To Amend Act No. 574 Of 1961, Relating To The Area Of The Chinquapin Road Public Service District In Greenwood County, So As To Further Define The Area.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Chinquapin Road Public Service District—Greenwood County—area.**—Section 2 of Act No. 574 of 1961 is amended by striking all after the word “follows:” on line 7 and inserting in lieu thereof the following:

“Beginning at the point of intersection of the center lines of Chinquapin Road and the southwestern branch of Dogwood Circle; thence along the centerline of Dogwood Circle and its extension in a southeasterly direction a distance of 2,500 feet to a point, thence along a line parallel to Chinquapin Road in a southwesterly direction a distance of 9,000 feet to a point, thence along a line perpendicular to Chinquapin Road in a northwesterly direction a distance of 4,000 feet to a point, thence along a line

parallel to Chinquapin Road in a northeasterly direction to the point of intersection with the center line of South Carolina Highway No. 72, thence in a south southeasterly direction to the point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the District shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Greenwood County." The section when amended shall read as follows:

"Section 2. There is hereby created and established in Greenwood County a special purpose district to be known as 'Chinquapin Road Public Service District,' which district shall be a public corporation of perpetual succession, and shall have the area and functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area of Greenwood County described as follows:

Beginning at the point of intersection of the center lines of Chinquapin Road and the southwestern branch of Dogwood Circle, thence along the centerline of Dogwood Circle and its extension in a southeasterly direction a distance of 2,500 feet to a point, thence along a line parallel to Chinquapin Road in a southwesterly direction a distance of 9,000 feet to a point, thence along a line perpendicular to Chinquapin Road in a northwesterly direction a distance of 4,000 feet to a point, thence along a line parallel to Chinquapin Road in a northeasterly direction to the point of intersection with the center line of South Carolina Highway No. 72, thence in a south southeasterly direction to the point of beginning.

As soon as convenient, and prior to the occasion set for the holding of the special election herein authorized, a plat of the District shall be prepared, and copies thereof shall be filed in the offices of the Auditor, the Treasurer and the Clerk of Court for Greenwood County."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R239, H1499)

## No. 559

**An Act To Authorize The Board Of Commissioners And The Treasurer Of Hampton County To Borrow One Hundred Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Hampton County may borrow money.**—The Board of Commissioners and the Treasurer of Hampton County are authorized to borrow one hundred thousand dollars for general county purposes at interest not to exceed four per cent per annum, to be repaid within such period of time as may be mutually agreed upon. The amount borrowed shall be evidenced by a note executed by the chairman of the board and the treasurer. The borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should the money be borrowed from the Division of Sinking Funds and Property and should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R394, H1636)

## No. 560

**An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1963 And Ending June 30, 1964, And To Provide For The Expenditures Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and the county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1963 and ending June 30, 1964 as follows:

Item 1. Roads and Bridges:

1-A. Chain Gang Employees

1. Guards (3) one at \$3480.00;  
one at 3150.00; and  
one at 1800.00 .....\$ 8,790.00

2. Tractormen (2) one at \$3480.00; and  
one at 3120.00 ..... 6,960.00

3. Grader Operator ..... 2,220.00

1-B. Chain Gang, Convicts and Supplies ..... 6,400.00

1-C. Bridges and Culverts ..... 8,000.00

1-D. Tractors and Machines ..... 2,500.00

Repairs and Supplies ..... 12,800.00

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Total Item 1 .....\$ 47,670.00

*Provided*, that the supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.

Item 2. County Officers and Clerks:

2-A. Attorney, Salary .....\$ 780.00

2-B. Auditor, Salary ..... 1,000.00

Auditor, Expense ..... 800.00

Tax Assessment and Appraisal Director ..... 3,600.00

Assessor ..... 3,000.00

Parttime Assistants (2) ..... 4,000.00

Clerk ..... 2,400.00

|   |              |
|---|--------------|
| Mileage .....   | 2,500.00     |
| Supplies .....  | 500.00       |
| 2-C. Clerk of Court, Salary .....                               | 2,700.00     |
| Deputy Clerks (2) one at \$3180.00; and<br>one at 2400.00 ..... | 5,580.00     |
| 2-D. Coroner, Salary .....                                      | 720.00       |
| 2-E. County Board of Commissioners:                             |              |
| Supervisor, Salary .....  | 4,200.00     |
| Supervisor, Expense .....                                       | 1,300.00     |
| Commissioners (2) .....   | 3,220.00     |
| Clerk .....   | 2,100.00     |
| 2-F. Judge of Probate, Expense .....                            | 2,100.00     |
| Clerk .....   | 2,400.00     |
| 2-G. Magistrates and Constables:                                |              |
| Magistrate, Goethe Township .....                               | 2,400.00     |
| Constable, Goethe Township .....                                | 1,800.00     |
| Magistrate, Lawton Township .....                               | 1,800.00     |
| Constable, Lawton Township .....                                | 1,500.00     |
| Magistrate, Peeples Township .....                              | 3,000.00     |
| Constable, Peeples Township .....                               | 3,600.00     |
| Magistrate, Pocotaligo Township .....                           | 1,800.00     |
| Constable, Pocotaligo Township .....                            | 1,500.00     |
| Report Clerk .....  | 120.00       |
| 2-H. Physician, Salary .....                                    | 780.00       |
| 2-I. Sheriff, Salary .....                                      | 2,400.00     |
| Sheriff, Expense .....  | 3,000.00     |
| Deputy Sheriffs (2), Salaries .....                             | 4,200.00     |
| Deputy Sheriffs (2), Expenses .....                             | 5,400.00     |
| Jailor, Salary .....  | 500.00       |
| Jailor, Expense .....   | 1,480.00     |
| Automobile Trade (3 cars) .....                                 | 4,000.00     |
| Automobile Maintenance .....                                    | 400.00       |
| 2-J. Tax Collector .....  | 4,200.00     |
| Tax Collector, Expense .....                                    | 400.00       |
| 2-K. Treasurer, Salary .....                                    | 3,000.00     |
| Treasurer, Expense .....  | 350.00       |
| Mailing Tax Notices .....                                       | 100.00       |
| 2-L. Clerk for Auditor and Treasurer .....                      | 4,200.00     |
| Total Item 2 .....  | \$ 94,830.00 |

## Item 3. Boards and Public Services:

|   |          |
|---|----------|
| 3-A. Board of Tax Equalization .....  | 300.00   |
| 3-B. Farm Agent, Expense .....  | 600.00   |
| Assistant Farm Agent, Salary .....  | 2,700.00 |
| Clerk, Salary .....   | 600.00   |
| 4-H Club Work & Miscellaneous Supplies .....  | 650.00   |
| 3-C. County Home Demonstration Office:  |          |
| Clerk, Salary .....   | 1,320.00 |
| Negro Home Agent, Salary .....  | 720.00   |
| Clerk, Negro Home and Farm Agent .....  | 900.00   |
| Demonstration Material and Office Expenses ..   | 90.00    |
| 3-D. Court Expenses (Jurors, bailiffs and jury child,<br>five dollars each per diem mileage each juror,<br>bailiff, jury child and witnesses, fourteen cents<br>per mile one way per term of court) ..... | 3,000.00 |
| 3-E. Department of Public Welfare:  |          |
| Expenses .....  | 2,000.00 |
| Relief .....  | 4,500.00 |
| 3-F. Forestry Board (Meetings, members five dollars<br>per diem each, and fourteen cents per mile one<br>way per board meeting) .....   | 75.00    |
| 3-G. Health Centers (Including Varnville, Yemassee<br>and Estill)   |          |
| Sanitarian, Salary Supplement .....   | 737.00   |
| Nurses (2), Salary Supplements .....  | 2,280.00 |
| Clerk, Salary Supplement .....  | 360.00   |
| Insect Control, 2 Operators \$50.00 each per<br>week payable biweekly, not to exceed a 20 week<br>season .....  | 2,000.00 |
| Chest X-Ray Clinic, Technician Services .....   | 600.00   |
| Clinics, 2 per month, \$12.00 each for physicians'<br>services as requested .....   | 288.00   |
| 3-H. None   |          |
| 3-I. Jail Expenses:   |          |
| Dieting Prisoners .....   | 3,000.00 |
| Medical Expense for Prisoners .....   | 100.00   |
| Transportation of Prisoners .....   | 100.00   |
| Repairs and Supplies .....  | 600.00   |
| Blood Hounds, Feed and Medicine .....   | 200.00   |

|  |              |
|--|--------------|
| 3-J. Library Services:   |              |
| Contributions (Expend subject to Section 16) ..  | 4,511.81     |
| Expenses .....   | 720.00       |
| 3-K. National Guard Units Funds, donations (Expend subject to Section 16) .....  | 1,500.00     |
| 3-L. Post Mortems, Inquests & Pauper Funerals ...  | 800.00       |
| 3-M. S. C. Retirement System, Federal Social Security Contributions for County Employees and S. C. Police Officers Retirement System ..... | 7,086.50     |
| 3-N. Supervisors of Registration (3), Salaries .....   | 1,200.00     |
| 3-O. Vital Statistics, Registrars of Births and Deaths   | 125.00       |
| 3-P. Veterans Service Office:  |              |
| Service Officer, Salary .....  | 2,400.00     |
| Service Officer, Expense .....   | 873.00       |
| Clerk, Salary .....  | 2,400.00     |
| Travel Expense (Meetings, Veterans Affairs)  |              |
| Office Expense .....   | 500.00       |
| Total Item 3 .....   | \$ 49,836.31 |
| Item 4. Operation and Upkeep, Offices, Buildings and Grounds:  |              |
| 4-A. Publishing Supervisor's Report and Legal Notices of Auditor and Treasurer .....   | \$ 125.00    |
| Watermelon Festival (Expend subject to Section 16) .....   | 750.00       |
| Other advertising & flowers (Expend subject to Delegation Approval) .....  | 150.00       |
| 4-B. Auditing and Bond Premiums:   |              |
| Auditing Services, including annual settlement   | 1,725.00     |
| Bond Premiums, Officers and Employees .....  | 775.00       |
| 4-C. Utilities and Insurance (Including Workmen's Compensation premiums on County Employees)   |              |
| Electric Service .....   | 4,700.00     |
| Fuel .....   | 1,200.00     |
| Water Service .....  | 800.00       |
| Insurance .....  | 1,775.00     |
| Workmen's Compensation Premium .....   | 960.00       |
| 4-D. Grounds Beautification (Expend subject to Section 16) .....   | 300.00       |
| 4-E. Janitor Service (Including Armory) .....  | 2,560.00     |

*Provided*, Courthouse Janitor helper may be paid not over \$10.00 weekly by Treasurer on claim approved by Clerk of Court.

4-F. Postage, Stationery and Office Supplies ..... 4,000.00

*Provided*, Postage, P. O. Box Rent, postal fees may be paid by Treasurer against claim of any county officer and held as cash item with postmaster's receipt attached.

4-G. Repairs and Supplies:

General Maintenance ..... 1,625.00

Sheriff's Radio System ..... 1,875.00

4-H. Rent, Library, Hampton, S. C. .... 660.00

4-I. Telephone Rentals, Toll Calls and Telegraph Service ..... 2,400.00

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Total Item 4 .....\$ 26,380.00

Item 5. Miscellaneous:

5-A. Tax refunds, street taxes to towns and S. C. Sales Tax, also including tax exemption granted new industry .....\$ 3,000.00

5-B. None

5-C. Civil Defense ..... 1,250.00

5-D. Development Board (Expend subject to delegation approval) ..... 5,000.00

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Total Item 5 .....\$ 9,250.00

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1963-64 APPROPRIATION GRAND TOTAL FOR FISCAL YEAR .....\$227,966.31

Less: Estimated Revenues, other than Property Taxes:

Alcoholic Liquor Tax .....\$ 14,900.00

Bank Tax ..... 1,600.00

Beer and Wine Tax ..... 4,000.00

Fines ..... 18,000.00

Gasoline Tax ..... 76,000.00

Income Tax ..... 20,500.00

Insurance License Fees ..... 10,750.00

Miscellaneous ..... 2,000.00

*Provided*, except that Radio Rental and Maintenance fees received from municipalities shall be added to Item 4-G, Sheriff's Radio System.

|                                 |          |
|---------------------------------|----------|
| Rents .....                     | 2,200.00 |
| State Library Board .....       | —0—      |
| Tax Execution Collections ..... | 6,000.00 |
| Tax Execution Fees .....        | 2,500.00 |
| Veteran Service Office .....    | 4,173.00 |

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|--|--------------|
| Total Estimated Revenues, Other Than Current |              |
| Property Taxes .....                         | \$162,623.00 |

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AMOUNT TO BE RAISED BY COUNTY  
TAX LEVY, INCLUDING COMMUTA-  
TION ROAD TAX .....\$ 65,343.31

*Provided*, that the County Attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided*, further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the Legislative Delegation.

*Provided*, further, that all revenues provided for by law be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

*Provided*, that hereafter, the janitors of the courthouse and the county office buildings shall work and perform their duties under the control and direction of the Clerk of Court and Farm Demonstration Agent, respectively. All claims shall have the approval before payment by at least two members of the County Board and such approval by any two members shall be sufficient to constitute the board's approval.

*Provided*, further, that nothing herein or otherwise shall be construed as limiting the total com-

pensation, including expense allowance, of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

**SECTION 2.** No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be expended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided*, that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scotia and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided*, further, that clerks of the respective towns, on or before March first of 1964 and each succeeding year, furnish a list duly sworn to, to the county auditor, and copies to the county treasurer and county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

**SECTION 3.** The auditor and treasurer of Hampton County shall be and they are hereby constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

**SECTION 4.** The clerk of the county board of commissioners may, at its discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate listing each county employee with appropriations act item number, monthly salary and expense, less required and authorized pay deductions and issue county board of commissioners' "County Check" (warrant) in the usual manner for balance due to each county employee at the close of the last day of each month. The county check (warrant) number, date and amount shall be entered on the appropriate line on the payroll. The county check (warrant) shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each monthly payroll shall be approved by the county board of commissioners and duplicate filed with the county treasurer. The county board of commissioners or its clerk may withhold, or delay issuing a county check (warrant) to any employee when believed necessary to protect the county's interest, including settlement of tax executions held by the tax collector when notified in writing and a copy is mailed to employee concerned.

**SECTION 5.** The county supervisor and the county commissioners are hereby prohibited to issue any pay check (warrant) to any magistrate of Hampton County until the magistrate has filed report and remitted all funds, including fines and costs due Hampton County to the county treasurer for the previous month; *provided*, all funds due the South Carolina Wildlife Resources Department have been remitted and the department has not notified the county board of commissioners in writing otherwise.

**SECTION 6.** The county supervisor, upon the request of any county commissioner, is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

**SECTION 7.** All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

**SECTION 8.** All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and one hundred twenty-five dollars set out in Item 4 is for the payment in full of such notices as are published in any paper during the year. *Provided*, however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of one hundred twenty-five dollars is not in payment of the costs of advertising tax sales.

**SECTION 9.** The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

**SECTION 10.** No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation shall be first secured.

**SECTION 11.** The courthouse and grounds shall be under the custody and control of the clerk of court for Hampton County, except that the county office building shall be under the custody of the farm demonstration agent for Hampton County.

**SECTION 12.** Wherever in the conduct of the affairs of the county it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legislative delegation shall approve the expenditure in writing and the approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

**SECTION 13.** From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided*, that the presiding judge may otherwise order service made personally by the sheriff and in such event the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the sheriff of Hampton County shall not be required to serve or summons witnesses in criminal cases

except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for which no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the State, blanks for same to be furnished by the clerk of court to the various magistrates.

**SECTION 14.** All persons actually in the Armed Forces of the United States on active duty shall during service be exempted from payment of personal property taxes on one vehicle, including one vehicle in wife's name if none in husband's name in tax book, and from payment of road, poll and dog taxes levied for 1963 and for any prior year when the above conditions have been met. The county auditor, treasurer and tax collector are authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1963 against any person.

**SECTION 15.** In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general county fund.

**SECTION 16.** Such funds as are herein appropriated as county contribution, donation or other support of any county agency or civic organization shall be made available on county check (warrant) issued by the county board of commissioners drawn on the county treasurer on letter request by such agency or organization for actual amount of funds determined to be needed and how arrived at, supported by its current year's (fiscal or calendar) financial operations statement to date of the letter request, with advice that a copy of the previous year's audit has been filed for record with the office of the clerk of court for Hampton County. Only after the county board of commissioners has made favorable recommendations, not in excess of appropriation item and the later written approval of the county legislative delegation, will such county check (warrant) be issued for approved amount; however, the approved amount may be dis-

bursed in one or more county checks (warrants) in the discretion of the county board of commissioners with regard to funds available in the county treasurer's office for the county fund general purposes.

**SECTION 17.** All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

**SECTION 18.** Any new manufacturing enterprise claiming exemption from county taxes (other than taxes for school purposes) for a period of five years from their establishment under the provisions of Section 8 of Article VIII of the State Constitution shall make letter request to the county auditor who will determine if the new manufacturing enterprise has made investment of not less than fifty thousand dollars or additions to existing manufacturing enterprise of not less than fifty thousand dollars, as is evidenced by Hampton County property return or certified documents filed with the South Carolina Tax Commission of the enterprise. Upon a favorable finding by the county auditor, the request shall be submitted to the county legislative delegation for approval. The county treasurer shall establish and maintain complete file on each tax exempt enterprise. The county treasurer is authorized in lieu of exempt amount of taxes to execute county claim in his favor as county treasurer for the amount and to handle same as a "Cash Item" in his county fund account for reimbursement on "Next First Monday" by the county board of commissioners at the same time payment of balance due taxes is made by any such enterprise. *Provided*, any new manufacturing enterprise may submit evidence under oath by its owner, partner or officer if a corporation, if their Hampton County property tax return or certified documents filed with the South Carolina Tax Commission does not reflect as much as fifty thousand dollars investment to the county auditor for reference to the county legislative delegation. *Provided*, further that after approval for exemption from county taxes (other than taxes for school purposes) and in any subsequent year when the records and/or documents aforementioned do not reflect as much as fifty thousand dollars investment being maintained, then such prior approval shall be considered revoked and no longer in force and effect.

**SECTION 19.** This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R406, H1745)

**No. 561**

**An Act To Amend An Act Of 1963 Bearing Ratification No. R-239, Relating To The Authorization Granted The Board Of Commissioners And The Treasurer Of Hampton County To Borrow Money For General County Purposes, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 559 of 1963 amended—Hampton County may borrow money.**—Section 1 of an act of 1963 bearing ratification No. R-239 is amended by striking it and inserting in lieu thereof the following:

“Section 1. The Board of Commissioners and the Treasurer of Hampton County are authorized to borrow money, from time to time, for general county purposes. The total indebtedness under this authorization shall never exceed one hundred thousand dollars at any one time and the interest to be paid thereon shall not exceed four per cent per annum. The amounts borrowed shall be repaid within such period of time as may be mutually agreed upon and the amounts borrowed shall be evidenced by notes executed by the chairman of the board and the treasurer. The borrowers reserve the right to anticipate the payment of part or all of any loan on any annual installment date.”

**SECTION 2. Section 2 of Act 559 of 1963 amended—payment.**—Section 2 of an act of 1963 bearing ratification No. R-239 is amended by striking it and inserting in lieu thereof the following:

“Section 2. For the payment of any note executed under the authority of this act, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire any loan evidenced by such a note and the interest due thereon. The entire proceeds of such levy shall be applied to the payment of any such notes and interest thereon.

The full faith, credit and taxing power of the county are irrevocably pledged to the payment of any indebtedness provided for in this act."

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R211, H1403)

**No. 562**

**An Act To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Four Hundred Thousand Dollars Of General Obligation Bonds Of The County To Be Used To Build And Equip An Appropriate Building For The Promotion Of Higher Education In Horry County; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued; And To Make Provision For Their Payment.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it did heretofore create the Horry County Higher Education Commission by Article 2, Chapter 43, Title 21, of the 1962 Code. Additional powers were given the Commission by Act No. 838 of 1962 and its functions and the qualifications of its personnel are modified by legislation in *pari materia*. Committed to the Commission by the aforesaid legislation is the function of constructing and equipping a building suitable for the promotion of higher education in Horry County. The General Assembly finds that the Commission has acquired a suitable site in Conway Township in Horry County, and that the sum of four hundred thousand dollars is required by the Commission in order that it may construct and equip a suitable building on such site. On that basis it has determined to empower the County Board of Commissioners of Horry County to raise such sum through the issuance of bonds as authorized herein.

**SECTION 2. Horry County may issue bonds.**—In order that funds may be made available to the Commission for the purpose above set forth, the county board is hereby authorized to issue not exceeding four hundred thousand dollars of general obligation bonds of Horry County.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations and maturity.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the county board shall provide for, except that the last maturing bonds shall mature not later than fifteen years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premiums as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the county board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution provide.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Horry County, South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Horry County and collected by the Treasurer of Horry County, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, of the 1962 Code.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Horry County and shall be disposed of as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;
- (b) The premium, if any, shall be applied to the payment of the first instalment of principal of such bonds; and
- (c) The balance remaining shall be expended, on the warrant of the Commission, for the following purposes:
  - (1) All costs and expenses incurred in connection with the issuance and sale of the bonds; and
  - (2) To meet costs incurred in constructing and equipping on the site referred to in Section 1 a building suitable for the promotion of higher education in Horry County.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

**An Act To Authorize The County Board Of Commissioners Of Horry County To Issue And Sell Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Horry County,**

**To Provide Funds For Extensive Improvements To The Courthouse And For Equipment Therefor; To Prescribe The Terms And Conditions Under Which the Bonds May Be Issued, And To Make Provision For Their Payment.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that extensive renovations, additions and improvements are required for the courthouse in Horry County and that additional equipment therefor is also required. It has investigated the cost of such project and has determined that five hundred thousand dollars is required therefor. It has, therefore, determined to authorize the County Board of Commissioners of Horry County to raise such sum through the sale of general obligation bonds of the county.

**SECTION 2. Horry County may issue bonds for courthouse improvements.**—In order to provide funds to the extent of five hundred thousand dollars, which shall be expended for (a) additions and improvements to the existing county courthouse, and (b) providing equipment therefor, the Board of Commissioners of Horry County is hereby authorized to issue not exceeding five hundred thousand dollars of general obligation bonds of the county.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations and maturity.**—The bonds shall be in such denominations and shall mature in such annual series or installments as the board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege

to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution provide.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Horry County shall be irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the county treasurer and shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) The premium, if any, shall be applied to the payment of the first instalment of principal of such bonds; and

(c) The balance remaining shall be expended, on the warrant of the board, for the following purposes:

- (1) All costs and expenses incurred in connection with the issuance and sale of the bonds; and
- (2) To meet the costs of additions and improvements to the existing county courthouse and to provide equipment therefor.

**SECTION 14. Repeal.**—All acts or parts of acts inconsistent herewith are hereby repealed to the extent of such inconsistencies.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R401, H1725)

**No. 564**

**An Act To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The County To Be Used To Build And Equip A Student Union Building For The Promotion Of Higher Education In Horry County; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued; And To Make Provision For Their Payment.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it did heretofore create the Horry County Higher Education Commission, hereinafter referred to as the Commission, by Article 2, Chapter 43, Title 21, of the 1962 Code. Additional powers were given the Commission by Act No. 838 of 1962 and its functions and the qualifications of its personnel are modified by an act enacted at the present 1963 session of the General Assembly. An act enacted at the present 1963 session of the General Assembly empowered the County Board of Commissioners of Horry County to issue not exceeding four hundred thousand dollars general obligation bonds of Horry County for the construction of an academic building. The General Assembly finds that it is desirable that the Commission be empowered to construct and equip an additional

building, to be utilized as a student union building and that the additional sum of two hundred thousand dollars is required therefor by the Commission. On that basis it has determined to empower the County Board of Commissioners of Horry County to raise such sum through the issuance of bonds as authorized herein.

**SECTION 2. Horry County may issue bonds for student union building.**—In order that funds may be made available to the Commission for the purpose above set forth, the County Board is hereby authorized to issue not exceeding two hundred thousand dollars of general obligation bonds of Horry County.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations and maturity.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the County Board shall provide for, except that the last maturing bonds shall mature not later than fifty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the County Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the County Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the County Board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act bear interest at rates determined by the County Board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Board shall by resolution provide.

**SECTION 10. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Horry County, South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor for Horry County and collected by the Treasurer of Horry County, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, of the 1962 Code.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Horry County and shall be disposed of as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;
- (b) The premium, if any, shall be applied to the payment of the first instalment of principal of such bonds; and
- (c) The balance remaining shall be expended, on the warrant of the Commission, for the following purposes:
  - (1) All costs and expenses incurred in connection with the issuance and sale of the bonds; and
  - (2) To meet costs incurred in constructing and equipping on the site referred to in Section 1 a student union building suitable for the promotion of higher education in Horry County.

**SECTION 14. Powers to be additional.**—The power to issue bonds granted to the County Board is in addition and not in derogation of the power granted to the County Board by the act mentioned in Section 1 hereof.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R618, H1867)

**No. 565**

**An Act To Authorize The Town Of Ocean Drive Beach To Convey By Quitclaim Deed To The Owner Of A Certain Lot In The Town Of Ocean Drive Beach Its Right Or Claim To An Easement.**

Whereas, in the Town of Ocean Drive Beach, Horry County, on Block 5, Ingram Section, the owner of Lot 2, situate between First Avenue on the north and Second Avenue on the south, has encroached upon a five foot easement of the Town of Ocean Drive Beach, and the owner of Lot 1, situate between First Avenue on the north and Second Avenue on the south and in juxtaposition to Lot 2, has encroached five feet on Lot 2; and

Whereas, the Town of Ocean Drive Beach desires to widen Eleventh Avenue which runs parallel to Lot 1 and further desires the owners of Lots 1 and 2 to adjust and settle their property difficulties; and

Whereas, an adjustment can be made which would satisfy the property owners and the town by conveying the five foot easement between Lots 2 and 3 to the owner of Lot 2, and by the owner of Lot 2 conveying by deed to the owner of Lot 1 five feet of his property and finally the owner of Lot 1 conveying by deed the five foot strip on the eastern side of his lot bordering Eleventh Avenue to the Town of Ocean Drive Beach, thus increasing the width of Eleventh Avenue to thirty-five feet. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Ocean Drive Beach may convey certain property.**—The Town of Ocean Drive Beach is hereby authorized to grant and convey by quitclaim deed for such consideration,

nominal or otherwise, as determined by the town authorities to the owner of Lot 2 the following described easement:

The easement situate, lying and being in the Town of Ocean Drive Beach in the County of Horry and State of South Carolina; and butting, bounding and measuring as follows: On the north by Second Avenue measuring five feet; on the west by Lot 3 measuring 107.5 feet, more or less; on the south by First Avenue where it measures 5 feet; and on the east by Lot 2 where it measures 107.5 feet.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R623, H1891)

**No. 566**

**An Act To Authorize The Horry County Board Of Commissioners To Issue Not Exceeding Three Hundred Sixty Thousand Dollars Of General Obligation Bonds Of Horry County, To Provide Funds For The Construction Of A Technical Education Center; To Prescribe The Terms And Conditions Under Which The Bonds May Be Issued, And To Make Provisions For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it has heretofore created the Horry-Marion Technical Education Commission, and that the cost for a technical education center to be constructed pursuant to the act creating the commission will cost approximately three hundred sixty thousand dollars. In the act creating the commission, the General Assembly found that it was prudent for Horry County to bear the cost of the construction and maintenance of the technical education center. It has, therefore, determined to authorize the County Board of Commissioners of Horry County to raise such sum through the sale of general obligation bonds of the county.

**SECTION 1A. Horry County may issue bonds.**—In order to provide funds to the extent of three hundred sixty thousand dollars,

which shall be expended for the construction of a technical education center to be located in Horry County, the Board of Commissioners of Horry County is hereby authorized to issue not exceeding three hundred sixty thousand dollars of general obligation bonds of the county.

**SECTION 2. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 3. Maturity.**—The bonds shall be in such denominations and shall mature in such annual series or installments as the board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 4. Redemption.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Horry County, upon such conditions as the board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Place of payment.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the board shall by resolution provide.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their

respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking funds as may be necessary therefor, the full faith, credit and taxing power of Horry County shall be irrevocably pledged, and there shall be levied annually by the county auditor and collected by the county treasurer, in the same manner as other county taxes are levied and collected, a tax without limit on all taxable property in the county sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the county treasurer and shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds;

(b) The premium, if any, shall be applied to the payment of the first installment of principal of such bonds; and

(c) The balance remaining shall be expended, on the warrant of the board, for the following purposes:

(1) All costs and expenses incurred in connection with the issuance and sale of the bonds; and

(2) To meet the costs of additions and improvements to the existing county courthouse and to provide equipment therefor.

**SECTION 13. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R97, H1271)

**No. 567**

**An Act To Authorize And Direct The County Treasurer Of Jasper County To Transfer Seven Thousand Five Hundred Dollars From The General Fund To The Contingent Fund Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Jasper County to transfer funds.**—The Treasurer of Jasper County is authorized and directed to transfer seven thousand five hundred dollars from the General Fund of the county to the Contingent Fund of the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

(R254, H1517)

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**No. 568**

**An Act Authorizing The Board Of Directors And The Treasurer Of Jasper County To Borrow Seventy-Five Thousand Dollars, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Jasper County may borrow money.**—The Board of Directors and the Treasurer of Jasper County are authorized to borrow not exceeding seventy-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board and the Treasurer of Jasper County. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to

the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

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(R404, H1732)

No. 569

**An Act To Authorize The County Board Of Education Of Jasper County To Issue General Obligation Bonds Of The School District Of Jasper County To The Extent Permitted By Applicable Constitutional Debt Limitations, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the County Board of Education of Jasper County (the county board) is the proper agency to plan and to construct new school facilities for The School District of Jasper County (the school district). It further finds that additional public school facilities are needed and certain existing facilities must be improved in the school district. It has therefore determined to empower the county board to raise such sum as shall be permitted by applicable constitutional debt limitations through the sale of general obligation bonds of the school district to the extent permitted by such limitation, and to expend the proceeds thereof for such purposes.

**SECTION 2. Jasper County Board of Education may issue bonds.**—In order to raise moneys to construct, equip and repair public school facilities for the public school system of the school district, the county board is hereby authorized to issue and sell, either as a single issue, or from time to time as several separate issues, general obligation bonds of the school district in such amount as shall be at the time of issuance within the constitutional debt limitation applicable to the school district.

**SECTION 3. Denominations and maturity.**—All bonds issued pursuant to this act shall be in such denomination and mature in such annual series or instalments as the county board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, if any bonds are to be made redeemable prior to their otherwise stated maturities, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Jasper County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the county board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by the county board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the school district shall be irrevocably pledged, and there shall be levied annually by the Auditor of Jasper County, and collected by the Treasurer of Jasper County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Jasper County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by and upon the order of the county board, as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be used for the following purposes:
  - (i) To defray the costs of issuing the bonds authorized by this act; and
  - (ii) To provide such new school facilities for the school district and such improvements to existing facilities in the school

district as shall, in the opinion of the county board, be most urgently needed.

- (d) If any balance remain, the same shall be held by the Treasurer of Jasper County in a special fund used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board and may be availed of pursuant to action taken at any regular or special meeting of the board.

**SECTION 14. No further action required to issue bonds.**—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R452, H1786)

**No. 570**

**An Act To Authorize The County Board Of Commissioners Of Jasper County To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Jasper County To Provide Additional Public School Facilities For The School District Of Jasper County; To Prescribe The Conditions Under Which The Bonds May Be Issued, And The Purposes For Which Their Proceeds May Be Expended; And To Make Provision For The Payment Of Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that The School District of Jasper County requires an outlay of funds now estimated to be eight hundred thousand dollars and that in the issuance of bonds it must observe the eight per cent debt limitation prescribed by Section 5 of Article X of the Constitution. The General Assembly takes further note of the fact that the Constitution permits Jasper County to incur bonded debt up to twenty per cent of the assessed value of all

taxable property in the county. By legislation enacted, in *pari materia*, the General Assembly has authorized the issuance of bonds of The School District of Jasper County in such amount as shall not exceed its constitutional debt limitation. It is estimated, on the basis of present assessed values, that the school district may issue bonds to an amount approximating three hundred thousand dollars, which sum is insufficient to meet all of the needs for public school facilities in the school district. Jasper County and The School District of Jasper County are coterminous and taxes levied by Jasper County will be paid by the same taxpayers who make payment of taxes levied on behalf of The School District of Jasper County. Correspondingly, expenditures made by Jasper County for public school facilities within The School District of Jasper County will benefit equally all taxpayers of both Jasper County and The School District of Jasper County.

The General Assembly takes note of the fact that by reason of the provisions of Section 6 of Article X, a county is permitted to incur bonded debt for educational purposes and that the decisions of the Supreme Court of South Carolina permit a levy of countywide ad valorem taxes for school purposes where a county has assumed the function of giving benefit to all school districts of the county. *Shelor v. Pace*, 151 S. C., 99; 148 S. E., 726.

On the basis of the foregoing, the General Assembly has determined to authorize the County Board of Commissioners of Jasper County (the county board) to issue not exceeding five hundred thousand dollars of general obligation bonds of Jasper County and to turn over the principal proceeds of the bonds to the county board of education, to be expended by that agency for additional public school facilities within The School District of Jasper County.

**SECTION 2. Jasper County School District may issue bonds.—**

In order to raise moneys to construct, equip and repair public school facilities for the public school system of The School District of Jasper County (the school district), the county board is hereby authorized and empowered to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of Jasper County in an amount not exceeding five hundred thousand dollars, and to turn over the principal proceeds thereof to the county board of education, to be expended by that agency for such school facilities.

**SECTION 3. Denominations and maturity.**—All bonds issued pursuant to this act shall be in such denomination, and mature in such annual series or instalments as the county board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, if any bonds are to be made redeemable prior to their otherwise stated maturities, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Jasper County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments, under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the county board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by the county board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Jasper County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Jasper County, and collected by the Treasurer of Jasper County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Jasper County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Jasper County, to be deposited in a Bond Account Fund for the school district, and shall be expended and made use of by, and upon the order of the County Board of Education of Jasper County as follows:

- (a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.
- (b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.
- (c) The remaining proceeds shall be used for the following purposes:
  - (i) To defray the costs of issuing the bonds authorized by this act; and
  - (ii) To provide such new school facilities for the school district and such improvements to existing facilities in the school district, as shall, in the opinion of the county board of education, be most urgently needed.
- (d) If any balance remain, the same shall be held by the Treasurer of Jasper County in a special fund used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board and may be availed of pursuant to action taken at any regular or special meeting of the board.

**SECTION 14. No further action required for issuance of bonds.**  
—No action other than that prescribed by this act need be taken to effect the issuance of the bonds herein authorized.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

(R634, H1769)

**No. 571**

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1963; To Provide For The Expenditure Thereof; And To Authorize The Borrowing Of A Sufficient Sum To Meet The Appropriations Made For The Year Beginning July 1, 1962.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby levied upon all the taxable property of Jasper County seventy-six mills by the auditor from assessment of the property therein which, together with fines, forfeitures and taxes collected by various officers and all income of the county, shall raise the amount herein appropriated and for the purposes herein stated.

Item 1. Roads and Bridges .....\$ 24,000.00

*Provided*, that the maintenance and operation of county-owned cars will be paid from this account upon the approval of the county board of commissioners. *Provided*, further, that uniforms for the sheriff's department will be purchased from this account.

Total .....\$ 24,000.00

Item 2. Clerk of Court :

Salary, Clerk of Court .....\$ 4,922.00

Salary, Deputy Clerk ..... 2,054.00

Total .....\$ 6,976.00

## Item 3. Sheriff's Office:

|   |             |
|---|-------------|
| Salary, Sheriff .....   | \$ 4,922.00 |
| Two Deputy Sheriffs @ \$4,000.00 each .....   | 8,000.00    |
| Salary, Clerk .....   | 2,054.00    |
| <i>Provided</i> , county cars shall be for the official use<br>only of the Supervisor, Sheriff and two Deputy<br>Sheriffs, and shall be clearly marked. |             |

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Total .....\$ 14,976.00

## Item 4. Treasurer's Office:

|   |  |             |
|---|--|-------------|
| Treasurer's salary—an amount sufficient to sup-<br>plement the amount provided by the State, so<br>as to make his total salary \$4,922.00 ..... |  | \$ 1,424.00 |
| Salary for clerk for Auditor and Treasurer ...  |  | 2,568.00    |

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Total .....\$ 3,992.00

## Item 5. Auditor's Office:

|   |  |             |
|---|--|-------------|
| Auditor's salary—an amount sufficient to sup-<br>plement the amount provided by the State, so as<br>to make his total salary \$4,922.00 ..... |  | \$ 1,424.00 |
|---|--|-------------|

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Total .....\$ 1,424.00

## Item 6. Board of Education:

|  |  |           |
|--|--|-----------|
| Salary, Superintendent of Education, an amount<br>sufficient to supplement amount provided by the<br>State, so as to make his total salary \$4,922.00 .. |  | \$ 549.50 |
| Salary, Clerk .....  |  | 2,400.00  |
| Members of Board of Education, five @ \$400.00<br>each .....   |  | 2,000.00  |
| Travel, Superintendent of Education .....  |  | 900.00    |

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Total .....\$ 5,849.50

## Item 7. Judge of Probate's Office:

|                                |             |
|--------------------------------|-------------|
| Salary, Judge of Probate ..... | \$ 4,922.00 |
| Salary, Clerk .....            | 1,027.00    |

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Total .....\$ 5,949.00

## Item 8. Coroner's Office:

|                       |           |
|-----------------------|-----------|
| Salary, Coroner ..... | \$ 571.00 |
|-----------------------|-----------|

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|             |           |
|-------------|-----------|
| Total ..... | \$ 571.00 |
|-------------|-----------|

## Item 9. County Board of Commissioners:

|                                   |             |
|-----------------------------------|-------------|
| Salary, Supervisor of Roads ..... | \$ 4,922.00 |
|-----------------------------------|-------------|

|   |          |
|---|----------|
| Salary, four Commissioners @ \$856.00 ..... | 3,424.00 |
|---|----------|

|                     |          |
|---------------------|----------|
| Salary, Clerk ..... | 1,027.00 |
|---------------------|----------|

|                                     |          |
|-------------------------------------|----------|
| Cars for Sheriff's Department ..... | 3,800.00 |
|-------------------------------------|----------|

*Provided*, the county board of commissioners shall assume the responsibility of county roads and bridges in their respective townships and shall program all construction and maintenance. The program of work will be outlined and approved by the county board every first Monday. *Provided*, further, that Gillisonville Square Courthouse grounds shall be maintained and kept up by the Supervisor.

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|             |              |
|-------------|--------------|
| Total ..... | \$ 13,173.00 |
|-------------|--------------|

## Item 10. Magistrates and Constables:

|                               |             |
|-------------------------------|-------------|
| Magistrate at Ridgeland ..... | \$ 2,925.00 |
|-------------------------------|-------------|

|                              |          |
|------------------------------|----------|
| Constable at Ridgeland ..... | 1,361.00 |
|------------------------------|----------|

|                                 |          |
|---------------------------------|----------|
| Magistrate at Hardeeville ..... | 2,450.00 |
|---------------------------------|----------|

|                                |        |
|--------------------------------|--------|
| Constable at Hardeeville ..... | 958.00 |
|--------------------------------|--------|

|                           |        |
|---------------------------|--------|
| Magistrate at Grays ..... | 997.00 |
|---------------------------|--------|

|                          |        |
|--------------------------|--------|
| Constable at Grays ..... | 958.00 |
|--------------------------|--------|

|                             |        |
|-----------------------------|--------|
| Magistrate at Tillman ..... | 997.00 |
|-----------------------------|--------|

|                            |        |
|----------------------------|--------|
| Constable at Tillman ..... | 958.00 |
|----------------------------|--------|

|                          |          |
|--------------------------|----------|
| Constables' Travel ..... | 1,200.00 |
|--------------------------|----------|

*Provided*, that the constables at Ridgeland and Hardeeville shall receive thirty dollars per month as travel supplement; *provided*, further, that the constables at Grays and Tillman shall receive twenty dollars per month travel supplement.

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|             |              |
|-------------|--------------|
| Total ..... | \$ 12,804.00 |
|-------------|--------------|

## Item 11. County Jail:

|   |             |
|---|-------------|
| Salary, Jailor .....  | \$ 2,311.00 |
| <i>Provided</i> , Sheriff may use Jailor as deputy when deemed advisable. |             |
| Dieting of prisoners (\$1.50 per day) .....                               | 2,400.00    |
| <i>Provided</i> , that twenty-four hours shall constitute one day.        |             |
| Jail Expense .....  | 600.00      |
| <hr/>   |             |
| Total .....   | \$ 5,311.00 |

## Item 12. Court Expense:

|  |             |
|--|-------------|
| Court Expenses .....   | \$ 2,000.00 |
| <i>Provided</i> , that bailiff and jurors shall be paid seven dollars per day. |             |
| <hr/>  |             |
| Total .....  | \$ 2,000.00 |

## Item 13. Health Work:

|   |             |
|---|-------------|
| Health Unit, plus balance from previous year .. | \$ 4,594.00 |
| <hr/>   |             |
| Total .....                                     | \$ 4,594.00 |

## Item 14. Public Buildings .....\$ 14,000.00

*Provided*, that no private telephones in private residences will be paid from this account. Any official serving Jasper County whose duties may require long distance calls after office hours will be provided with a credit card issued by the county board of commissioners.

|             |              |
|-------------|--------------|
| Total ..... | \$ 14,000.00 |
|-------------|--------------|

## Item 15. Farm and Home Demonstration Work:

|  |           |
|--|-----------|
| Expense, Home Demonstration Agent .....                            | \$ 500.00 |
| Expense, County Agent .....  | 500.00    |
| Stenographer for County Home Demonstration and County Agents ..... | 615.00    |
| Assistant County Agent, Salary .....                               | 2,653.00  |
| Boys' 4-H Club Work .....  | 125.00    |
| Girls' 4-H Club Work and Farm Women's Work .....                   | 275.00    |

|  |             |
|--|-------------|
| Demonstration Supplies for Home Demonstration Agent .....                              | 50.00       |
| Stamps, incidentals and office supplies for County and Home Demonstration Agents ..... | 100.00      |
| Corn Contest .....   | 100.00      |
| Total .....  | \$ 4,918.00 |

## Item 16. Rent:

|   |           |
|---|-----------|
| Forestry Office .....                     | \$ 96.00  |
| Farm Security Administration Office ..... | 420.00    |
| Total .....                               | \$ 516.00 |

## Item 17. County's portion of support to public schools .. \$242,080.00

*Provided*, that all school budgets will be submitted to the county board of education prior to February first of each year. *Provided*, further, that the county board of education shall advise the delegation of the school needs for each fiscal year prior to March first of each year. *Provided*, further, that \$15,000 be transferred from the General Fund, if that amount be needed.

|             |              |
|-------------|--------------|
| Total ..... | \$242,080.00 |
|-------------|--------------|

## Item 18. Miscellaneous:

|  |           |
|--|-----------|
| County Attorney .....  | \$ 794.00 |
| <i>Provided</i> , he shall handle all small county cases and advise all county officials, except the sheriff, on criminal matters. |           |
| County Service Officer, supplement to salary ..  | 257.00    |
| Janitor, Courthouse and Grounds .....  | 1,905.00  |
| Janitor, Agricultural Building, Welfare Office and Health Center .....   | 743.00    |
| <i>Provided</i> , that this shall be taken care of by the supervisor.  |           |
| Three Forestry Wardens @ \$450.00 .....  | 1,350.00  |
| <i>Provided</i> , that all wardens receiving this travel must be under the supervision of the Jasper County Forestry Board.        |           |
| Travel outside county .....  | 1,200.00  |

The following county officials, when traveling outside of Jasper County on official business, shall be paid seven cents per mile and expenses: Senator, Representative, Sheriff, Deputy Sheriffs, Supervisor, Superintendent of Education, Judge of Probate, Auditor, Treasurer, Clerk of Court, County Attorney and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided*, that all claims are approved by the County Commissioners. *Provided*, further, that prior approval of the Supervisor shall be obtained for the purpose of making trips outside of the county except for law enforcement officers.

|  |           |
|--|-----------|
| Board of Assessors and Equalization .....  | 2,500.00  |
| Secretary, Board of Registration .....   | 578.00    |
| Public Welfare Fund .....  | 4,440.00  |
| Plus any balance from previous year. This shall be used by the Public Welfare Board.   |           |
| Attendance Teacher Charity Fund .....  | 200.00    |
| Post Mortems, Inquests and Lunacies .....  | 600.00    |
| <i>Provided</i> , Coroner's and Magistrates' jurors shall be paid two dollars per day.   |           |
| Vital Statistics .....   | 400.00    |
| There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridgeland Hospital; <i>provided</i> , that the books and records of the hospital be audited along with the county books ..... |           |
| Physician .....  | 12,000.00 |
| Printing, Postage, Stationery and Advertising ..   | 300.00    |
| State Retirement System .....  | 4,000.00  |
| Social Security .....  | 3,800.00  |
| Library Fund .....   | 3,000.00  |
| National Guard Fund and Janitorial Service ..  | 2,550.00  |
| <i>Provided</i> , such fund shall be used for the payment of fuel, lights and telephone.   |           |
| Jasper County Farm Bureau Marketing Commission .....   | 2,000.00  |
|  | 200.00    |

|   |              |
|---|--------------|
| Jasper County Development Board .....   | 7,000.00     |
| Bond Premiums .....   | 800.00       |
| Burial Expense, Paupers .....   | 200.00       |
| <i>Provided</i> , that this expense be approved by the<br>Public Welfare Board.   |              |
| Forestry Ranger .....   | 321.00       |
| Fire Tower Wardens .....  | 770.00       |
| School Lunch Program .....  | 2,000.00     |
| <i>Provided</i> , this shall be paid only upon vouchers<br>approved by the school lunch supervisor.   |              |
| Hospitalization .....   | 6,000.00     |
| <i>Provided</i> , this shall be paid when approved by<br>the Public Welfare Board; and <i>provided</i> , fur-<br>ther, that a list of patients and the amount be<br>made available to the Board of Commissioners<br>at its request. |              |
| Miscellaneous Contingent Fund .....   | 10,000.00    |
| <i>Provided</i> , that this fund shall be used upon writ-<br>ten approval of the legislative delegation as it<br>deems necessary to supplement any account ex-<br>cept salaries.  |              |
| Audit of County Books .....   | 2,000.00     |
| County Fire Truck .....   | 300.00       |
| Total .....   | \$ 72,208.00 |
| Item 19. Civil Defense .....  | \$ 4,800.00  |
| Total .....   | \$ 4,800.00  |
| Item 20. Registration Board, three members @ \$240.00<br>each .....   | 720.00       |
| Total .....   | \$ 720.00    |
| GRAND TOTAL .....   | \$441,221.50 |
| Less Estimated Revenues other than Taxes:   |              |
| Fines and Licenses .....  | \$ 53,000.00 |
| Income Tax .....  | 19,000.00    |
| Beer and Wine Tax .....   | 2,500.00     |
| Liquor Tax .....  | 8,500.00     |

|                                       |                    |
|---------------------------------------|--------------------|
| Gas Tax (1 cent) .....                | 42,000.00          |
| Miscellaneous .....                   | 13,000.00          |
| Total .....                           | <hr/> \$138,000.00 |
| Amount to be raised by taxation ..... | <hr/> \$303,221.50 |

**SECTION 2.** The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and seven cents per mile for necessary travel.

**SECTION 3.** The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

**SECTION 4.** The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each and a receipt from the treasurer.

**SECTION 5.** The County Commissioners shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general fund. *Provided*, that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

**SECTION 6.** It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

**SECTION 7.** The clerk of court is hereby authorized and required to pay jurors seven cents' mileage for each day's attendance upon court.

**SECTION 8.** No claims shall be paid by the supervisor or the county board unless the same are itemized and probated.

**SECTION 9.** Any county official or employee who falsifies any claim against the county shall be subject to immediate dismissal or removal from office.

**SECTION 10.** The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of Jasper County's Legislative Delegation.

**SECTION 11.** In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The officers shall execute notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

**SECTION 12.** The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspapers published in Jasper County asking for bids for such equipment, materials, supplies, goods, wares or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the supervisor may reject any or all bids.

**SECTION 13.** The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly, is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

**SECTION 14.** The county supervisor is hereby authorized to grant up to ten days' annual leave with pay to county employees and up to ten days' annual sick leave with pay, provided the employee is under a doctor's care.

**SECTION 15.** Any funds accruing to the general fund of the county in excess of the amounts appropriated by this act may be trans-

ferred to a fund and be utilized for renovation of the jail upon approval of the legislative delegation.

**SECTION 16.** Should the General Assembly in any subsequent year fail to enact an appropriations act for Jasper County the appropriations and tax levy herein set forth shall be the appropriations act for such subsequent year for Jasper County.

**SECTION 17.** Should a deficit result from the appropriations made in the 1962-1963 county appropriations act there is hereby appropriated a sufficient amount to cover this deficit.

**SECTION 18.** The Treasurer of Jasper County is authorized upon the written approval of the legislative delegation to borrow such sums as may be necessary to meet the obligations set forth in the county appropriations act beginning July 1, 1962.

**SECTION 19.** All work on privately-owned property by the supervisor shall have the approval of the full county board of commissioners thirty days prior to such work.

**SECTION 20.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R36, S97)

**No. 572**

**An Act To Validate An Election Held In The Town Of Elgin, In Kershaw County, On October 30, 1962, Authorizing The Acquisition Of A Waterworks System By The Town Of Elgin And The Issuance Of Bonds To Defray The Costs Thereof, Notwithstanding The Failure To Comply With Section 59-171 Of The 1952 Code.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Bond issue election for Town of Elgin validated.**  
—An election held on the thirtieth day of October, 1962, in the Town of Elgin (formerly the Town of Blaney), in Kershaw County, pursuant to the provisions of the South Carolina Municipal Bond Act, the provisions of Section 59-243 of the 1952 Code and the provisions of Section 5 of Article VIII of the Constitution of South

Carolina, is hereby validated and declared to be legal in all respects, and any bonds, which may be issued by the Town of Elgin pursuant to the election are hereby declared to be valid and legal in all respects as obligations of the Town of Elgin, notwithstanding that no election of Commissioners of Public Works of the Town of Elgin was held pursuant to Section 59-171 of the 1952 Code simultaneously with the election authorizing the issuance of bonds by the Town of Elgin to meet the costs of acquiring by construction, a waterworks system of the Town of Elgin, and notwithstanding any irregularities which may have occurred in the ordering or holding of the election.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R73, H1184)

**No. 573**

**An Act Extending The Season For The Hunting Of Quail And Rabbits In Kershaw County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail and rabbit season for Kershaw County.**—The open season for the hunting of quail and rabbits in Kershaw County is extended to March 1, 1963.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

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(R104, H1237)

**No. 574**

**An Act To Validate A Conveyance Of Certain Real Property By The Kershaw County Board Of Directors To The City Of Camden.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Conveyance of property by Kershaw County validated.**—That certain conveyance of two parcels of real property by

the Kershaw County Board of Directors to the City of Camden dated January 29, 1963 and recorded in the office of the Clerk of Court of Kershaw County in Volume GT at page 551 is hereby validated and confirmed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1963.

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(R270, S290)

No. 575

**An Act To Authorize And Empower The Board Of Trustees Of The School District Of Kershaw County To Issue Not Exceeding One Hundred Fifty Thousand Dollars Of General Obligation Bonds Of The School District Of Kershaw County, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that further school facilities are required for the public school system of The School District of Kershaw County (hereinafter called "The School District") and has determined to authorize that such facilities be obtained through a sale of the bonds authorized by this act. It has therefore determined to authorize the issuance of one hundred fifty thousand dollars of general obligation bonds of The School District (or such lesser amount as may at the time of the issuance of such bonds be within the constitutional debt limitation applicable to The School District).

**SECTION 2. School District of Kershaw County may issue bonds.**—In order to raise moneys to provide for the construction and repair of public school facilities for the public school system of The School District, the Board of Trustees of The School District (hereinafter called "The Board") is hereby authorized and empowered to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of The School District in the amount of one hundred fifty thousand dollars,

or so much thereof as shall be at the time of issuance within the constitutional debt limitation applicable to The School District.

**SECTION 3. Maturity.**—All bonds issued pursuant to this act shall mature in such annual series or instalments as The Board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by The Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Kershaw County, upon such conditions as The Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments, under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as The Board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by The Board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as The Board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina.

Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of The School District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Kershaw County, and collected by the Treasurer of Kershaw County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in The School District, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Kershaw County, to be deposited in a Bond Account Fund for The School District, and shall be expended and made use of by The Board as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used for the following purposes:

(i) To defray the costs of issuing the bonds authorized by this act; and

(ii) To provide such school facilities for The School District as shall, in the opinion of The Board, be most urgently needed.

(d) If any balance remain, the same shall be held by the Treasurer of Kershaw County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon The Board shall be in addition to all other powers and authorizations previously vested in The Board and may be availed of pursuant to action taken at any regular or special meeting of The Board.

**SECTION 14. No further action required to issue bonds.**—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized.

**SECTION 15. Additional bonds not to be issued pursuant to Act 155 of 1960.**—In view of the authorizations granted by this act, any remaining authorization to issue bonds under Act No. 155 of the Acts of 1960 is hereby rescinded.

**SECTION 16. Repeal.**—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

**SECTION 17. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R675, S471)

**No. 576**

**An Act Providing For The Referendum In Kershaw County To Determine The Wishes Of The Qualified Electors Concerning Equalization Of Property And The Increase Of Taxes For School Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Election concerning equalization of property taxes.**—There shall be a special election in Kershaw County to be held on the first Tuesday in August, 1963, at which the following question shall be submitted to the qualified electors of the county: "Are you in favor of equalizing all taxable real property in Kershaw County, provided the total assessment of taxable real property for Kershaw County, after equalization, does not exceed ten per cent more than the total assessment of taxable real property as of January 1, 1963?

In favor of ☐  
Opposed to ☐

**SECTION 2. Equalization of property.**—If the election required by this act shall result favorably, then the Governing Board of Kershaw County shall, as soon as practicable, be empowered to do all things necessary for the equalization of all such property in the county.

**SECTION 3. Question concerning increase of property tax.**—There shall also be submitted at the time of the election provided for

in Section 1 the following question: "Are you in favor of increasing the property tax levy of Kershaw County ten mills, if so much be needed, over the next two years for school purposes?"

In favor of ☐

Opposed to ☐

**SECTION 4. Conduct of election.**—The Kershaw County Election Commissioners shall conduct the elections provided in this act in the manner set forth in the South Carolina Election Law and shall certify the results thereof to the Kershaw County Legislative Delegation. The expenses shall be paid from the general funds of the county.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R681, H1618)

No. 577

**An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1963-1964, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, and shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

**SECTION 2.** The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds, together with an amount not to exceed the proceeds of a six-mill levy to be utilized to defray the general operating expenses of the Kershaw

County Memorial Hospital, including cost of charity care, such levy to be approved by the delegation.

**SECTION 3.****Item 1. Administrative Department:****A. Auditor's Office:**

|   |             |
|---|-------------|
| (1) Salary of Auditor (County's portion) .....  | \$ 2,826.89 |
| (2) Deputy Auditor .....  | 3,000.00    |
| (3) Board of Assessors .....  | 1,500.00    |
| <i>Provided</i> , that each member shall receive fifteen dollars per day while working, plus seven cents per mile travel while engaged in work. |             |

|             |          |
|-------------|----------|
| Total ..... | 7,326.89 |
|-------------|----------|

**B. Treasurer's Office:**

|  |          |
|--|----------|
| (1) Salary of Treasurer (county's portion) ..... | 2,826.89 |
| (2) Deputy Treasurer .....                       | 3,000.00 |
| (3) Travel for Treasurer .....                   | 50.00    |

|             |          |
|-------------|----------|
| Total ..... | 5,876.89 |
|-------------|----------|

**C. Tax Collector's Office:**

|                                  |          |
|----------------------------------|----------|
| (1) Salary, Tax Collector .....  | 4,040.00 |
| (2) Travel, Tax Collector .....  | 1,200.00 |
| (3) Clerk to Tax Collector ..... | 2,840.00 |

|             |          |
|-------------|----------|
| Total ..... | 8,080.00 |
|-------------|----------|

|                     |              |
|---------------------|--------------|
| Total, Item 1 ..... | \$ 21,283.78 |
|---------------------|--------------|

**Item 2. Judicial Department:****A. Clerk of Court:**

|  |             |
|--|-------------|
| (1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance) ..... | \$ 6,300.00 |
| (2) Deputy Clerk of Court .....  | 3,000.00    |
| (3) Salary (two additional clerks, \$2,840.00 each) .....                  | 5,680.00    |

|             |           |
|-------------|-----------|
| Total ..... | 14,980.00 |
|-------------|-----------|

**B. Master:**

|  |          |
|--|----------|
| (1) Salary of Master .....   | 2,000.00 |
| Salary of Master as Judge of Juvenile-Domestic Relations and Special Court ..... | 4,500.00 |

|   |          |
|---|----------|
| (2) Secretary to Master and Judge, Salary .....     | 3,000.00 |
| (3) Additional Secretarial Assistance for Master .. | 600.00   |
| (4) Office Rent .....                               | 600.00   |

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|             |           |
|-------------|-----------|
| Total ..... | 10,700.00 |
|-------------|-----------|

## C. Court of General Sessions and Common Pleas:

|   |           |
|---|-----------|
| (1) Jurors, witnesses, bailiffs and court crier ..... | 10,000.00 |
|---|-----------|

*Provided*, bailiffs, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in their duties.

|   |        |
|---|--------|
| (2) Supplement to Fifth Circuit Court Reporter .. | 700.00 |
|---|--------|

|   |        |
|---|--------|
| (3) Kershaw County Probation Officer, Salary Supplement ..... | 300.00 |
|---|--------|

*Provided*, that the Probation Officer shall be available to assist the Judge of the Juvenile-Domestic Relations and Special Court as may be required by the Judge thereof.

|                               |        |
|-------------------------------|--------|
| (4) Assistant Solicitor ..... | 900.00 |
|-------------------------------|--------|

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|             |           |
|-------------|-----------|
| Total ..... | 11,900.00 |
|-------------|-----------|

## D. Probate Judge:

|                                 |          |
|---------------------------------|----------|
| (1) Salary, Probate Judge ..... | 6,500.00 |
|---------------------------------|----------|

|  |          |
|--|----------|
| (2) Salary, Deputy Probate Judge ..... | 3,000.00 |
|--|----------|

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|             |          |
|-------------|----------|
| Total ..... | 9,500.00 |
|-------------|----------|

## E. Magistrates:

## (1) Salaries:

|                                      |          |
|--------------------------------------|----------|
| Magistrate for DeKalb Township ..... | 4,300.00 |
|--------------------------------------|----------|

|                                      |          |
|--------------------------------------|----------|
| Magistrate for Town of Kershaw ..... | 2,000.00 |
|--------------------------------------|----------|

|   |        |
|---|--------|
| Magistrate for Flat Rock Township ..... | 980.00 |
|---|--------|

|                                       |          |
|---------------------------------------|----------|
| Magistrate for Buffalo Township ..... | 1,520.00 |
|---------------------------------------|----------|

|  |          |
|--|----------|
| Magistrate for West Wateree Township ..... | 2,120.00 |
|--|----------|

*Provided*, that the Magistrate for DeKalb Township shall keep same office hours as other court-house officials.

*Provided*, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building.

|             |           |
|-------------|-----------|
| Total ..... | 10,920.00 |
|-------------|-----------|

F. County Attorney:

|                  |        |
|------------------|--------|
| (1) Salary ..... | 600.00 |
|------------------|--------|

*Provided*, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the legislative delegation. *Provided*, further, the County Attorney shall be elected by a majority of the legislative delegation for a period of one year.

|             |        |
|-------------|--------|
| Total ..... | 600.00 |
|-------------|--------|

G. Office of Coroner:

|                  |          |
|------------------|----------|
| (1) Salary ..... | 1,520.00 |
|------------------|----------|

|   |        |
|---|--------|
| (2) Inquest stenographer, if so much be needed .... | 100.00 |
|---|--------|

*Provided*, the stenographer shall be paid at the rate of \$5.00 per inquest.

|             |          |
|-------------|----------|
| Total ..... | 1,620.00 |
|-------------|----------|

|                     |              |
|---------------------|--------------|
| Total, Item 2 ..... | \$ 60,220.00 |
|---------------------|--------------|

Item 3. Law Enforcement:

A. Sheriff's Office:

|                             |             |
|-----------------------------|-------------|
| (1) Salary of Sheriff ..... | \$ 6,500.00 |
|-----------------------------|-------------|

|  |          |
|--|----------|
| (2) Salary of Chief Deputy Sheriff ..... | 4,520.00 |
|--|----------|

|   |        |
|---|--------|
| (3) Clothing allowance for Deputy Sheriff ..... | 175.00 |
|---|--------|

|             |           |
|-------------|-----------|
| Total ..... | 11,195.00 |
|-------------|-----------|

B. Sheriff's Deputies:

|  |           |
|--|-----------|
| (1) Salaries, nine Deputy Sheriffs ..... | 32,400.00 |
|--|-----------|

|                                     |        |
|-------------------------------------|--------|
| (2) Uniforms, Deputy Sheriffs ..... | 700.00 |
|-------------------------------------|--------|

|                                   |        |
|-----------------------------------|--------|
| (3) Ammunition and Supplies ..... | 100.00 |
|-----------------------------------|--------|

|   |           |
|---|-----------|
| (4) Deputy Sheriff's automotive expense, including maintenance, upkeep and purchase of new vehicles ..... | 12,000.00 |
|---|-----------|

- |  |          |
|--|----------|
| (5) Additional expense for Sheriff's Deputies, to be expended upon approval of Sheriff ..... | 3,000.00 |
| (6) Clerical help—DeKalb Magistrate and Sheriff's Office .....                               | 2,600.00 |

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|             |           |
|-------------|-----------|
| Total ..... | 50,800.00 |
|-------------|-----------|

## C. Jail Expense:

- |   |          |
|---|----------|
| (1) Operation of Jail, if so much be needed ..... | 3,000.00 |
| (2) Jailor .....                                  | 2,120.00 |

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|             |          |
|-------------|----------|
| Total ..... | 5,120.00 |
|-------------|----------|

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|                     |              |
|---------------------|--------------|
| Total, Item 3 ..... | \$ 67,115.00 |
|---------------------|--------------|

*Provided*, that all expenditures authorized herein shall be subject to the approval of the County Board of Directors and shall be in accordance with such accounting systems, procedures, rules and regulations, as they may specify.

## Item 4. Public Works:

## A. Board of Directors:

- |   |             |
|---|-------------|
| (1) Four Directors—salaries and expense .....                                       | \$ 7,200.00 |
| (2) Superintendent of Maintenance .....   | 5,240.00    |
| (3) Five Patrol operators .....   | 19,500.00   |
| (4) One Loader operator .....   | 3,900.00    |
| (5) One Bulldozer operator .....  | 3,900.00    |
| (6) One Yard man and clerk .....  | 3,900.00    |
| (7) One Yard man .....  | 2,700.00    |
| (8) One Mechanic .....  | 4,460.00    |
| (9) Three truck drivers .....   | 7,200.00    |
| (10) Salary, Clerk to Board of Directors .....                                      | 6,300.00    |
| Assistant to Clerk .....  | 3,800.00    |
| (11) One General Clerk, to be used by Auditor, Treasurer and Judge of Probate ..... | 2,840.00    |

*Provided*, the balance of the one cent gasoline tax refunded Kershaw County shall be expended upon the approval of the board of Directors, if so much be needed, for the operation and

maintenance of the Kershaw County Chain Gang and for supplies and equipment.

Total ..... 70,940.00

B. Janitors:

(1) Salary of Janitors at Courthouse and Agricultural Building ..... 3,480.00

Total ..... 3,480.00

C. Miscellaneous:

(1) Telephone (all offices) ..... 3,000.00

(2) Printing, postage, stationery and supplies, if so much be needed ..... 7,500.00

(3) Public Building Maintenance, lights and water 10,000.00

(4) Equipment Account ..... 2,000.00

Total ..... 22,500.00

D. Insurance:

(1) On prisoners ..... 500.00

(2) Bond premiums ..... 1,000.00

(3) Workmen's Compensation premiums ..... 2,000.00

(4) Insurance, County Motor Vehicles ..... 1,061.00

*Provided*, that the above monies shall be spent only on approval of the County Board of Directors.

(5) Retirement and Social Security Payments for County employees ..... 15,000.00

Total ..... 19,561.00

Total, Item 4 ..... \$116,481.00

Item 5. Health Department ..... \$ 27,751.00

*Provided*, the above amount shall be expended in accordance with the budget submitted by the County Health Officer, as approved by the Kershaw County Legislative Delegation. Said sum shall be reduced by the amount paid by the City of Camden for Health Services.

*Provided*, further, all amounts expended for salaries and actual travel shall be paid by claims approved by the Health Officer.

|             |           |
|-------------|-----------|
| Total ..... | 27,751.00 |
|-------------|-----------|

|                     |              |
|---------------------|--------------|
| Total, Item 5 ..... | \$ 27,751.00 |
|---------------------|--------------|

Item 6. Military:

|                                   |             |
|-----------------------------------|-------------|
| A. Service Officer (Salary) ..... | \$ 4,815.00 |
|-----------------------------------|-------------|

|                       |        |
|-----------------------|--------|
| (1) Office Rent ..... | 420.00 |
|-----------------------|--------|

|  |        |
|--|--------|
| (2) Office Expense, Telephone and out-of-town travel ..... | 960.00 |
|--|--------|

|             |          |
|-------------|----------|
| Total ..... | 6,195.00 |
|-------------|----------|

|                         |        |
|-------------------------|--------|
| B. Kershaw Guards ..... | 500.00 |
|-------------------------|--------|

*Provided*, that the above sum shall be expended for upkeep, maintenance and repair on the Kershaw County Armory; and *provided*, further, that the Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare League for functions at a rental not to exceed \$25.00 per night.

|             |        |
|-------------|--------|
| Total ..... | 500.00 |
|-------------|--------|

|                     |             |
|---------------------|-------------|
| Total, Item 6 ..... | \$ 6,695.00 |
|---------------------|-------------|

Item 7. Farm Aid:

A. Salary Subsistence:

|                      |           |
|----------------------|-----------|
| (1) Farm Agent ..... | \$ 720.00 |
|----------------------|-----------|

|                           |        |
|---------------------------|--------|
| (2) Assistant Agent ..... | 520.00 |
|---------------------------|--------|

|                      |        |
|----------------------|--------|
| (3) Home Agent ..... | 720.00 |
|----------------------|--------|

|                                |        |
|--------------------------------|--------|
| (4) Assistant Home Agent ..... | 520.00 |
|--------------------------------|--------|

|                 |        |
|-----------------|--------|
| (5) Clerk ..... | 720.00 |
|-----------------|--------|

|             |          |
|-------------|----------|
| Total ..... | 3,200.00 |
|-------------|----------|

B. Assistance for Colored Farmers:

|                               |        |
|-------------------------------|--------|
| (1) Farm Agent (Salary) ..... | 720.00 |
|-------------------------------|--------|

|                               |          |
|-------------------------------|----------|
| (2) Home Agent (Salary) ..... | 1,170.00 |
|-------------------------------|----------|

|                               |          |
|-------------------------------|----------|
| (3) Clerk .....               | 1,380.00 |
| (4) Home Agent (Travel) ..... | 600.00   |
| (5) Farm Agent (Rent) .....   | 240.00   |

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|             |          |
|-------------|----------|
| Total ..... | 4,110.00 |
|-------------|----------|

## C. Miscellaneous Farm Aid:

|  |        |
|--|--------|
| (1) 4-H Club Work (White) .....                                  | 100.00 |
| (2) 4-H Club Work (Colored) .....                                | 100.00 |
| (3) Kershaw County Chapter of Future Homemakers of America ..... | 100.00 |
| (4) Council of Farm Women .....                                  | 250.00 |
| (5) Demonstration Material for Home Agent (White) .....          | 50.00  |

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|             |        |
|-------------|--------|
| Total ..... | 600.00 |
|-------------|--------|

|                               |        |
|-------------------------------|--------|
| D. Cotton Rent Platform ..... | 675.00 |
|-------------------------------|--------|

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|             |        |
|-------------|--------|
| Total ..... | 675.00 |
|-------------|--------|

|   |          |
|---|----------|
| E. Supplement to salary of four County Fire Wardens ..... | 2,400.00 |
|---|----------|

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|             |          |
|-------------|----------|
| Total ..... | 2,400.00 |
|-------------|----------|

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|                     |              |
|---------------------|--------------|
| Total, Item 7 ..... | \$ 10,985.00 |
|---------------------|--------------|

## Item 8. Welfare:

|   |           |
|---|-----------|
| A. County Welfare Board, to be kept at the rate of ten dollars per meeting attended ..... | \$ 360.00 |
| Travel for worker .....   | 350.00    |

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|             |        |
|-------------|--------|
| Total ..... | 710.00 |
|-------------|--------|

|  |          |
|--|----------|
| B. Camden and Kershaw County Children's Home | 3,000.00 |
|--|----------|

*Provided*, above shall be spent at a rate of \$1.50 per day for child care of indigent children of Kershaw County, and the above sums shall be paid semi-annually upon certification by the president and secretary of the Margaret C. Mayfield Home that care and maintenance were

actually rendered for the number of days for which claim is made.

|             |          |
|-------------|----------|
| Total ..... | 3,000.00 |
|-------------|----------|

|                      |          |
|----------------------|----------|
| C. County Poor ..... | 4,500.00 |
|----------------------|----------|

*Provided*, that this amount shall be spent by the Welfare Department, subject to the advice of the County Board of Directors.

|             |          |
|-------------|----------|
| Total ..... | 4,500.00 |
|-------------|----------|

|                     |             |
|---------------------|-------------|
| Total, Item 8 ..... | \$ 8,210.00 |
|---------------------|-------------|

Item 9. Libraries:

A. County Library:

|  |             |
|--|-------------|
| (1) Acting Head Librarian, Salary .....                        | \$ 2,800.00 |
| (2) Assistant Librarian, Salary .....                          | 2,300.00    |
| (3) Clerical Assistant, Salary .....                           | 2,200.00    |
| (4) Operation of Bookmobile, gas, oil, tires and repairs ..... | 400.00      |
| (5) Books and Binding and Mending .....                        | 2,500.00    |
| (6) Office Supplies .....                                      | 250.00      |
| (7) Equipment .....  | 50.00       |
| (8) Miscellaneous Fund .....                                   | 100.00      |
| (9) Insurance .....  | 195.00      |
| (10) Travel .....  | 75.00       |

|             |           |
|-------------|-----------|
| Total ..... | 10,870.00 |
|-------------|-----------|

B. DeKalb Negro Branch:

|                                |          |
|--------------------------------|----------|
| (1) Salary for Librarian ..... | 2,440.00 |
| (2) Books and Supplies .....   | 1,500.00 |

|             |          |
|-------------|----------|
| Total ..... | 3,940.00 |
|-------------|----------|

|                          |        |
|--------------------------|--------|
| C. Bethune Library ..... | 600.00 |
|--------------------------|--------|

|                                   |        |
|-----------------------------------|--------|
| D. Kershaw Memorial Library ..... | 300.00 |
|-----------------------------------|--------|

|             |        |
|-------------|--------|
| Total ..... | 900.00 |
|-------------|--------|

*Provided*, that the County Library Board be allowed to sell or trade the present bookmobile

upon the approval of the Kershaw County Delegation.

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Total, Item 9 .....\$ 15,710.00

Item 10. Miscellaneous:

A. Contingent Fund .....\$ 5,000.00  
To be spent only if approved by a majority of  
the County Legislative Delegation.

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Total ..... 5,000.00

B. For merit raises to county clerical employees as  
provided in Section 7, if so much be needed ... 14,880.00

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Total ..... 14,880.00

C. Audit ..... 1,500.00

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Total ..... 1,500.00

D. Secretary to Delegation ..... 600.00

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Total ..... 600.00

E. Chamber of Commerce ..... 2,000.00

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Total ..... 2,000.00

F. County Rescue Squad ..... 500.00

Bethune Rescue Squad ..... 500.00

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Total ..... 1,000.00

G. Recreation Commission, City of Camden ..... 2,000.00

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Total ..... 2,000.00

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Total, Item 10 .....\$ 26,980.00

Item 11. Park and Recreation Commission:

A. Kershaw County Park (White):

(1) Salary, Superintendent .....\$ 4,220.00

(2) Salaries, Life Guards ..... 1,440.00

(3) Labor, Grounds, etc. .... 1,000.00

(4) Gas and Oil ..... 400.00

|                                       |        |
|---------------------------------------|--------|
| (5) Lights .....                      | 180.00 |
| (6) Telephone .....                   | 230.00 |
| (8) Incidents (Insurance, etc.) ..... | 350.00 |

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|             |          |
|-------------|----------|
| Total ..... | 7,820.00 |
|-------------|----------|

## B. Pickett-Thomas Memorial Park (Colored) :

|   |          |
|---|----------|
| (1) Salaries, Caretaker, Clerk and Life Guards .. | 3,420.00 |
| (2) Utilities and Labor .....                     | 1,576.00 |

*Provided*, that the appropriate governing groups of each park are authorized in their discretion to make a reasonable charge for the use of their facilities, said charge to be approved by the County Board of Directors, and the proceeds therefrom to be utilized for park purposes as approved by the respective boards and County Board of Directors.

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|             |          |
|-------------|----------|
| Total ..... | 4,996.00 |
|-------------|----------|

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|                      |              |
|----------------------|--------------|
| Total, Item 11 ..... | \$ 12,816.00 |
|----------------------|--------------|

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374,246.78

Plus unitemized estimated one-cent gasoline tax 59,060.00

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GRAND TOTAL .....\$433,306.78

## Estimated Revenues and Available Credits:

|                              |              |
|------------------------------|--------------|
| Magistrates' Fines .....     | \$ 64,000.00 |
| County Officers' Fees .....  | 23,000.00    |
| Beer and Wine Tax .....      | 8,000.00     |
| Liquor Tax .....             | 32,000.00    |
| Gas Tax .....                | 130,000.00   |
| Insurance Fees .....         | 18,000.00    |
| Tax Collector .....          | 8,000.00     |
| Bank Tax .....               | 5,000.00     |
| Income Tax .....             | 45,000.00    |
| County Service Officer ..... | 4,815.00     |

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Total Estimated Revenues and Available Credits .....\$337,815.00

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Total amount to be raised by taxation .....\$ 95,491.78

**SECTION 4.** The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided*, however, that the above expenses shall be paid only when a notarized statement is filed with and approved by the County Board of Directors.

**SECTION 5.** The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to show on such dockets what disposition is made of each case, and shall enter on such dockets all costs which may be assessed against the parties of such case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided*, however, that no magistrate in Kershaw County shall be paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

**SECTION 6.** The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of such board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided*, however, that all salaries appropriated are in lieu of all fees.

**SECTION 7.** Clerical employees, other than elected officials who have had at least ten years of satisfactory service in the employ of the county, shall receive a supplement to their salary in the sum of forty dollars per month. *Provided*, that any such employees with more than five years of satisfactory service shall receive a supplement of thirty dollars per month. *Provided*, further, that any such employees with more than one year of satisfactory service shall receive a supplement of twenty dollars per month. *Provided*, further, that the director, an employee of the Kershaw County Welfare Department, and Sheriff's Deputies, and Farm and Home Agents and their employees shall be included in this section.

**SECTION 8.** The County Board of Directors are authorized in their discretion to enter into a contract to provide group life and group medical care insurance for county employees, and their dependents, with any reputable insurance company authorized to do business in South Carolina.

**SECTION 9.** It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economic Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors.

**SECTION 10.** If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of a majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, the delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the Clerk of the County Board of Directors for expending the funds thus appropriated; and the county board of directors may borrow, if necessary, such amounts as may be required to make such increase or additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

**SECTION 11.** The general supervision and control of the business and financial affairs of the county shall be vested in a County Board of Directors, consisting of four members, one from each Township, the present elected member from each Township to constitute the said Board. The Board shall have all of the functions and shall exercise all of the powers and duties heretofore performed by the County Governing Board and the County Administrator. Effective July 1, 1963, the office of County Administrator is abolished and all parts of Act No. 364 of the 1963 General Assembly inconsistent herewith

are hereby repealed. This section shall be a permanent provision of the statute law of this state.

**SECTION 12.** All purchases of all county departments shall be made by the County Board of Directors and all expenditures are to be approved by said Board. The said Board may require such systems of vouchers and accounting as they may see fit.

**SECTION 13.** The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw County schools for the fiscal year beginning July 1, 1963, and ending June 30, 1964, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget may include a supplement to the salary of the superintendent of education provided that his total salary shall not exceed the sum of six thousand five hundred dollars; *provided*, that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association and approved by the county board of education and the legislative delegation; and *provided*, further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education and a sum to supplement the administrative personnel of the superintendent of education's office, including the attendance teacher and the school lunchroom supervisor. *Provided*, further, that the county board of education is hereby authorized and directed on or before the commencement of the 1963-1964 school term to establish by natural boundaries, as nearly as feasible, the school attendance areas of each school of Kershaw County. Each child of the county shall attend the school attendance area in which he or his parent or guardian resides, except by the permission of the trustees of the attendance area in which he resides and the permission of the trustees of the area in which he seeks admission; *provided*, further, that any child which attended a school in a school attendance area other than that in which he resided during the school year 1961-1962 and 1962-1963 may continue to attend such school if he or his parent or guardian so desires.

**SECTION 14.** All materials, supplies or equipment shall be purchased for all departments of the county by the county Board of Directors after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by each department in writing at least thirty days in advance of their

requirements. No voucher for the payment of any purchase in excess of five hundred dollars shall be honored by the county treasurer unless the county Board of Directors and clerk of the Board of Directors shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Board of Directors.

**SECTION 15.** Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

**SECTION 16.** All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

**SECTION 17.** All acts or parts of acts inconsistent herewith are repealed.

**SECTION 18.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R74, H1203)

**No. 578**

**An Act To Extend The Season For Hunting Quail And Rabbits In Lancaster County To March First For The Year 1963 Only.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail and rabbit season for Lancaster County.**—Notwithstanding the provisions of Section 28-336 of the 1962 Code, the open season for hunting quail and rabbits in Lancaster County is hereby extended until March first for the year 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1963.

(R85, S129)

**No. 579**

**An Act To Amend Section 3 Of Act No. 879 Of 1954, Relating To The Lancaster County Natural Gas Authority, So As To Increase The Number Of Members Of The Authority To Nine And To Provide For The Terms Of New Members.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 3 of Act 879 of 1954 amended—Lancaster County Natural Gas Authority—members—appointments—terms—vacancies—compensation—officers.**—Section 3 of Act No. 879 of 1954 is amended by striking on line 1 the word “seven” and inserting in lieu thereof the word “nine”, and by striking between the words “and” and “from” on line 5 the word “one” and inserting in lieu thereof the word “three” so that when so amended the section shall read as follows :

“Section 3. The Authority shall consist of a board of nine members. Two members shall be appointed from the City of Lancaster, two members from the Lancaster Cotton Mills area, including Ervin Farms, the Bleachery and surrounding areas, one from the Town of Kershaw, one from the Town of Heath Springs and three from Lancaster County at large. The board members shall be appointed by the Governor upon the recommendation of a majority of the Lancaster County Delegation, including the Senator. The incorporated municipalities and unincorporated towns and other areas may recommend members to the delegation through their respective governing bodies. The initial terms of office shall begin as of the effective date of this act and shall continue for a term of four years and until their successors have been appointed and qualify. Any vacancy in office shall be filled for the unexpired term in the manner of the original appointment. The members of the Authority shall serve without salary, and shall be compensated only for actual expenses incurred on official business of the Authority, and a full record of all expenses that may be incurred by the members of the Authority shall be kept and shall at all reasonable times be open to public inspection. As soon as convenient, the members of the Authority shall convene and shall elect one of their number as chairman and another as secretary, each of whom shall hold office for terms to be fixed by the Authority. A determination by the Authority that for the present no supply of gas is available upon a feasible and practicable basis for any one or

more of the designated municipalities shall *ipso facto* suspend all voting powers of the member from any such municipality concerning all matters dealing with the provision of service to those municipalities for which a supply of gas is available on a feasible and practicable basis."

**SECTION 2. Terms of additional members.**—The terms of the two new members to be appointed by authority of this act shall expire on March 31, 1966, or until their successors are appointed and qualify. Their successors shall serve for a term of four years, or until their successors are appointed and qualify.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R157, H1384)

**No. 580**

**An Act Authorizing The Treasurer Of Lancaster County To Transfer Certain Funds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lancaster County may transfer funds.**—The Treasurer of Lancaster County is authorized to transfer forty-nine thousand six hundred thirty dollars from the County General Fund to the General School Operating Fund, and to transfer twelve thousand dollars from the School Bond Sinking Fund to the General School Operating Fund.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R315, H1638)

**No. 581**

**An Act To Authorize The Board Of Directors Of Lancaster County To Borrow Not Exceeding Three Hundred Thousand Dollars For General County Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Lancaster County may borrow money.**—The Board of Directors of Lancaster County is authorized to borrow not exceeding three hundred thousand dollars for general county purposes. The amount borrowed shall be evidenced by a note executed by the chairman of the board and the treasurer of the county. The note shall bear interest at the best available rate and shall be payable in such instalments as may be agreed upon. The borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

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(R388, S381)

No. 582

**An Act To Authorize The Treasurer Of Lancaster County To Invest County Funds In Certain Obligations Of The United States.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Investment of funds by Lancaster County.**—The Treasurer of Lancaster County is authorized to invest county funds in excess of the amount necessary for immediate payments in obligations of the United States or any agency of the United States.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R564, H1840)

## No. 583

**An Act To Authorize The Formation Of Watershed Conservation Districts In Lancaster County; To Provide For Their Administration; To Prescribe The Terms Of Office Of The Governing Bodies, Their Powers, And Duties; To Authorize The Power Of Eminent Domain; To Provide For Tax Levies And Bond Issues And For Their Payment; And To Repeal Act No. 1137 Of 1962, Creating The Lancaster Watershed Conservation District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Definitions.**—Whenever used or referred to in this act, unless a different meaning clearly appears from the context :

(1) "Watershed conservation district" means a governmental subdivision of this State, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth, and hereinafter referred to as the "district".

(2) "Director" means one of the members of the governing body of a watershed conservation district, selected in accordance with the provisions of this act.

(3) "Supervisor" means one of the members of the governing body of the Lancaster Soil Conservation District in which any part of a watershed conservation district is situated.

(4) "County" means Lancaster County of South Carolina.

(5) "Landowner" or "owner of land" includes any person, firm or corporation who shall hold legal or equitable title to any lands lying within a watershed conservation district organized under the provisions of this act.

(6) "Due notice" means notice published at least twice, with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it is customary to post notices concerning county or municipal affairs generally.

**SECTION 2. Watershed conservation districts may be formed in Lancaster County—area.**—Authority is hereby granted to form wa-

tershed conservation districts within Lancaster County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

The formation of the districts shall be supervised and administered by the Lancaster County Watershed Conservation Commission. The Commission shall consist of not less than ten and not more than fourteen resident landowners of Lancaster County, who shall be appointed by the Governor upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator, from a list of names recommended by the Lancaster County Soil Conservation District Supervisors. Of the commissioners first appointed, half shall serve for terms of two years and half for terms of four years. The terms of office of each of their successors shall be for four years. If the number of commissioners is changed from time to time, the terms of office shall be such that the terms of no more than half of the commissioners expire at one time. In all cases, those persons holding office shall continue to hold office until their successors shall have been appointed and qualified. Any vacancy shall be filled by a vote of the majority of the commission for the unexpired portion of the term.

The area embraced in a watershed conservation district must be contiguous and must lie within a well-defined watershed; and the area shall not include lands located within the boundary of any incorporated city or town, or lands embraced in another watershed conservation district.

**SECTION 4. Petition for formation.**—When it is apparent to the commission that there is interest within a proposed district sufficient to form a district, the commission shall cause a petition of one or more residents of the proposed district to be filed with the commission asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth: the proposed name of the watershed conservation district; that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory described in the petition; a description of the territory proposed to be organized as a watershed conservation district, which description need not be given by metes and bounds or by legal subdivisions, but shall be deemed sufficient if generally accurate; and the approximate number of acres of land included in the proposed watershed conservation district.

**SECTION 5. Hearing on petition.**—(1) Within thirty days after the petition has been filed with the commission, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included in the petition should be excluded, the commission may permit the inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(2) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and a further hearing shall be held. After final hearing, if the commission determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination which shall describe the area, but the description need not be given by metes and bounds. The description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(3) If the commission determines after the hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

**SECTION 6. Determination of commission.**—After the commission has made and recorded a determination that there is need, in the interest of the public health, safety and welfare, for a watershed conservation district to function in the territory considered at the hearing and has defined the boundaries thereof, it shall consider the question whether the operation of a watershed conservation district within the proposed boundaries with the powers conferred upon it by this act is administratively practicable and feasible.

**SECTION 7. Determination further.**—If the commission determines that the operation of the district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the commission determines that the operation of the district is administratively practicable and feasible, it shall record the determination and shall proceed with the organization of the district in the manner hereinafter set forth and shall certify the determination to the Clerk of Court of Lancaster County and to the Secretary of State. Upon proper recordation of the determination, the watershed conservation district shall constitute a governmental subdivision of this State and a public body corporate and politic. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 8. Board of directors to govern district — nomination — appointment — terms — vacancies — election.**—(1)

The governing body of the watershed conservation district shall consist of five directors who are landowners in the district, appointed by the commission to serve terms of four years each. In all cases, those persons holding office shall continue to hold office until their successors shall have been elected or appointed. Members of the commission may also serve as district directors. Any vacancy occurring among the directors shall be filled by a vote of the majority of the commissioners for the unexpired term. Their successors shall be appointed by the commission unless, more than thirty days before the term of office expires, nominating petitions are filed with the commission to nominate candidates for directors of the watershed conservation district. No such nominating petition shall be accepted by the commission unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners.

(2) If the candidates nominated do not exceed the number of directors to be chosen, the commission shall declare them to be elected. No person shall be eligible to be a director of a watershed conservation district who is not a landowner in the watershed conservation district in which he seeks election.

(3) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the commission shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable time after the expiration of the nominating period. The

names of all qualified nominees shall be printed in alphabetical order upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. Only landowners within the watershed conservation district shall be eligible to vote in the election. The five candidates who shall receive the largest number respectively of the votes cast in the election shall be the directors of the watershed conservation district, and shall serve for a term of four years.

(4) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. The bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on each bond shall be paid by the watershed conservation district.

**SECTION 9. District to be corporate body—powers and duties.**—A watershed conservation district organized under the provisions of this act shall constitute a governmental subdivision of this State, and a public body corporate and politic, and, in addition to the powers granted in other sections of this act, shall have the power:

(1) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the manner provided in Sections 25-101 through 25-140 and Sections 33-121 through 33-148, of the 1962 Code, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(2) To construct, reconstruct, repair, enlarge, improve, operate and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(3) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district, and, if promissory notes are issued, to execute mortgages on any property owned by the district, or assign or pledge such revenues or assessments of the

district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate and sell its bonds as provided in Section 10 of this act; and

(4) To levy an annual tax on the real property of the entire district subject to the limitations provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district not provided by the county chain gang or the Lancaster County Water and Sewer Commission. The levy shall be made only after approval by the commission and upon notifying the county auditor.

**SECTION 10. Bonds not to be issued unless referendum held.**

—(1) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the commission.

(2) The commission shall hold a hearing within the district on the proposal after having given due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the commissioners.

(3) The provisions of Sections 5, 6 and 7 of this act as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(4) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the commission, be authorized to issue the bonds.

**SECTION 11. Compensation.**—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties as approved by the commission.

**SECTION 12. Budget—tax levy.**—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administra-

tion of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of the budget by the commission, the county auditor shall levy a tax sufficient to meet the budget on all real property within the district. A copy of such budget shall be certified to the Auditor of Lancaster County. *Provided*, the total levy for all districts shall not exceed one-half mill on each dollar of assessed valuation.

**SECTION 13. List of landowners and acres subject to assessment.**—(1) The directors of the watershed conservation district, with the assistance of the county auditor, shall prepare a list of the landowners involved showing the number of acres subject to assessment.

(2) When the property tax rolls are delivered to the county treasurer by the county auditor, as required by law, the county treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

**SECTION 14. Collection of taxes.**—(1) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(2) The taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

**SECTION 15. Expenditures.**—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the district, with the approval of the supervisors of the soil conservation district.

**SECTION 16. Petition to have lands detached.**—The owners of lands which have not been, are not and cannot be benefited by their inclusion in the district may petition the supervisors of the soil conservation district to have the lands detached. The petition shall describe such lands and state the reasons why they should be detached. A hearing shall be held by the supervisors within thirty days after the petition is filed and due notice of such hearing shall be given by the supervisors. If it is determined by the supervi-

ors that the lands shall be detached, such determination shall be certified to the Auditor of Lancaster County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.**—(1) At any time after five years after the organization of a watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the supervisors of the soil conservation district asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The supervisors may conduct such hearings upon the petition as may be necessary to assist them in the consideration thereof.

(2) Within sixty days after such petition has been filed with the supervisors they shall give due notice of the holding of a referendum. The supervisors shall hold such referendum substantially as provided for in Section 10 of this act. The question shall be submitted by ballots upon which the words “For terminating the existence of the . . . . . Watershed Conservation District” and “Against terminating the existence of the . . . . . Watershed Conservation District” shall be printed, with a square before each proposition and a direction to insert an “X” mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. Only landowners within the watershed conservation district shall be eligible to vote in such referendum. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof if notice of the referendum shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(3) The supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the supervisors determine that the continued operation of the watershed conservation district is administratively practicable and feasible, they shall record such determination and deny the petition. If the supervisors determine that the continued operation of the water-

shed conservation district is not administratively practicable and feasible, they shall record the determination and shall certify the determination to the directors of the district; *provided*, however, that the supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the district.

(4) Upon receipt from the supervisors of a certification that they have determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the district. A copy of the determination shall be certified to the Auditor of Lancaster County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 18. Supervisory authority if district discontinued.—**

If the Lancaster Soil Conservation District is discontinued, all supervisory authority over the affairs of the watershed conservation districts which was previously exercised by the supervisors shall thereafter be exercised by the governing body of Lancaster County.

**SECTION 19. Repeal.—**Act No. 1137 of the Acts of 1962 is hereby repealed.

**SECTION 20. Time effective.—**This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R651, H1889)

**No. 584**

**An Act To Provide For The Addition To The State Highway System A Road In Lancaster County And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department may construct road in Lancaster County.—**The South Carolina State Highway Department is hereby authorized to add to the State Highway System and to construct a road in Lancaster County as follows:

A county road—from Road S-55 at Van Wyck to Route 5—  
1.0 mile.

**SECTION 2. Cost of.**—The cost of constructing the road provided for by this act shall be charged to the Secondary Highway Funds accruing to Lancaster County.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

(R683, H1898)

**No. 585**

**An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1963, To July 1, 1964, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A sufficient tax, not to exceed seventy mills, less the estimated revenue to be received by Lancaster County, in 1963, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, for the amounts and purposes hereinafter stated, as follows: to wit:

**SECTION 2.** The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

**SECTION 3.** The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be eight dollars per day and mileage, as now provided by law.

**SECTION 4.** Public Works .....\$140,000.00

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140,000.00

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, and salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road maintenance and chain gang employees shall be employed by the County Road Supervisor and shall receive such salaries as the board of directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this appropriations act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1962. The county board of directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided*, however, that such sum shall not be deducted from the appropriations made in this appropriations act. In addition to the appropriation provided in this section, any and all monies received by the county board of directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster County and the State Highway Department shall be expended by the board of directors for any of the purposes set out above. Of the amount appropriated, \$2,600.00 shall be used for Christmas Bonuses.

#### Law Enforcement

##### Salaries:

|  |             |
|--|-------------|
| Sheriff .....                                    | \$ 4,800.00 |
| Expenses of Sheriff .....                        | 1,800.00    |
| 4 Deputy Sheriffs @ \$290.00 per month .....     | 13,920.00   |
| Expenses, 4 Deputy Sheriffs, \$900.00 each ..... | 3,600.00    |

|   |                    |
|---|--------------------|
| 2 Lieutenants @ \$310.00 per month .....  | 7,440.00           |
| Expenses for 2 Lieutenants @ \$75.00 per month<br>to cover telephone, meals out of town, laundry,<br>etc., in performance of duty ..... | 1,800.00           |
| 2 Deputy Sheriffs @ \$275.00 per month .....  | 6,600.00           |
| Expenses for 2 Deputy Sheriffs @ \$75.00 per<br>month .....   | 1,800.00           |
| Radio Operator and part time Deputy .....   | 2,700.00           |
| Expenses, Radio Operator and part time Deputy .....   | 900.00             |
| Special Deputy Sheriffs .....   | 648.00             |
| Special Deputy Sheriffs, extra occasions .....  | 200.00             |
| Clerk (1), to be paid directly to the clerk em-<br>ployed .....   | 3,000.00           |
| Expenses, Clerk .....   | 360.00             |
| Jailor .....  | 1,320.00           |
| <hr/> Total .....   | <hr/> \$ 50,888.00 |

## Expenses:

|  |                    |
|--|--------------------|
| Operating jail, including per diem for feeding<br>and maintenance, or so much as may be necessary              | \$ 9,000.00        |
| Maintenance and new equipment Sheriff's au-<br>tomobiles and radios, or so much as may be nec-<br>essary ..... | 10,000.00          |
| Record books, forms, and postage, or so much<br>as may be necessary .....                                      | 300.00             |
| Uniforms for Sheriff's Officers, if so much be<br>necessary .....  | 2,400.00           |
| Supplies and returning of prisoners .....  | 1,000.00           |
| <hr/> Total .....  | <hr/> \$ 22,700.00 |

## Magistrates:

|                                       |             |
|---------------------------------------|-------------|
| Gills Creek Township .....            | \$ 2,200.00 |
| Hire of Clerk .....                   | 1,200.00    |
| Constable, Gills Creek Township ..... | 2,100.00    |
| Kershaw .....                         | 780.00      |
| Constable, Kershaw .....              | 610.00      |
| Buford Township .....                 | 600.00      |
| Constable, Buford Township .....      | 450.00      |
| Cedar Creek Township .....            | 600.00      |
| Constable, Cedar Creek Township ..... | 450.00      |

|   |              |
|---|--------------|
| Cane Creek Township .....               | 1,000.00     |
| Constable, Cane Creek Township .....    | 700.00       |
| Indianland Township .....               | 500.00       |
| Constable, Indianland Township .....    | 450.00       |
| Pleasant Hill Township .....            | 500.00       |
| Constable, Pleasant Hill Township ..... | 450.00       |
| Flat Creek Township .....               | 500.00       |
| Constable, Flat Creek Township .....    | 450.00       |
| Waxhaw Township .....                   | 500.00       |
| Constable, Waxhaw Township .....        | 450.00       |
| <hr/>                                   |              |
| Total .....                             | \$ 14,490.00 |

## County Director's Office

## Salaries:

|  |              |
|--|--------------|
| Chairman of Board .....  | \$ 1,020.00  |
| Directors (6) @ \$900.00 each .....  | 5,400.00     |
| Secretary .....  | 3,600.00     |
| Travel expense for 7 directors of the board to be paid to each at the rate of \$150.00 per year .... | 1,050.00     |
| Travel expenses for the chairman of the board for a year .....                                       | 600.00       |
| Clerk to Board, to be paid directly to clerk employed .....  | 960.00       |
| Special Secretary for Tax Collector, Auditor, Treasurer and County Board of Directors ....           | 3,000.00     |
| <hr/>  |              |
| Total .....  | \$ 15,630.00 |

## Auditor's Office

|   |             |
|---|-------------|
| Salary in addition to the portion paid by the State under the General Appropriation Act and Expenses for County Auditor ..... | \$ 2,300.00 |
| Travel and Expenses for Auditor .....   | 1,800.00    |
| Clerk to County Auditor, to be paid directly to the Clerk employed .....  | 3,000.00    |
| Equalization Board .....  | 1,300.00    |
| Supplies .....  | 170.00      |
| <hr/>   |             |
| Total .....   | \$ 8,570.00 |

## County Treasurer's Office

|  |             |
|--|-------------|
| Salary in addition to the amount to be paid by the State under the General Appropriation Act and expenses for County Treasurer ..... | \$ 2,300.00 |
| Clerk to Treasurer, to be paid directly to clerk employed .....  | 3,000.00    |
| To compensate for extra work and mailing out tax notices .....   | 1,200.00    |
| Supplies .....   | 1,250.00    |
| <hr/>  |             |
| Total .....  | \$ 7,750.00 |

## Clerk of Court's Office

|   |             |
|---|-------------|
| Salary .....  | \$ 600.00   |
| Salary to secretary for Clerk of Court .....  | 3,000.00    |
| Postage, record books, office supplies and printing, or so much as may be necessary ..... | 3,000.00    |
| <hr/>   |             |
| Total .....   | \$ 6,600.00 |

## Probate Judge

|   |             |
|---|-------------|
| Clerk to Probate Judge, to be paid directly to clerk employed .....                       | 3,000.00    |
| Postage, record books, printing and office supplies, or so much as may be necessary ..... | 1,000.00    |
| For Lunacy Proceedings, if so much be necessary .....                                     | 500.00      |
| Doctors' Fees for Lunacy Proceedings, if so much be necessary .....                       | 500.00      |
| <hr/>   |             |
| Total .....   | \$ 5,000.00 |

## County Attorney

|              |             |
|--------------|-------------|
| Salary ..... | \$ 1,320.00 |
| <hr/>        |             |
| Total .....  | \$ 1,320.00 |

## County Coroner

|   |             |
|---|-------------|
| Salary—Coroner .....  | \$ 1,300.00 |
| Stenographer, when necessary, not to exceed \$10.00 per inquest ..... | 100.00      |
| Printing and Official Blanks .....                                    | 25.00       |

|   |             |
|---|-------------|
| Travel Expense for coroner, not to exceed \$400.00 .....  | 400.00      |
| Total .....   | \$ 1,825.00 |
| Farm and County Agent's Departments   |             |
| County Agent .....  | \$ 1,200.00 |
| Assistant County Agent .....  | 587.00      |
| Home Demonstration Agent .....  | 650.00      |
| Negro Agriculture Agent .....   | 476.00      |
| Stenographer, Home Demonstration Agent ....   | 1,080.00    |
| Home Demonstration Supplies .....   | 50.00       |
| Demonstration Supplies, County Agent .....  | 50.00       |
| Stamps and Incidentals, County Agent .....  | 50.00       |
| Stenographer, County Agent .....  | 180.00      |
| Boys' and Girls' Club Work .....  | 100.00      |
| Colored Home Demonstration Agent, Supplies .....  | 50.00       |
| Colored Agriculture Agent, Demonstration Supplies .....   | 50.00       |
| Salary, Colored Home Demonstration Agent ..   | 797.00      |
| Clerical Help, Negro Home and Agriculture Agents .....  | 1,300.00    |
| Colored 4-H Club Work, Boys and Girls ....  | 100.00      |
| Office Rent .....   | 240.00      |
| Total .....   | \$ 6,960.00 |
| Quail Project .....   | 660.00      |
| (To be expended upon the approval of the legislative delegation, including the Senator.)  |             |
| Total .....   | 660.00      |
| Forestry Rangers  |             |
| Expenses and supplemental salaries .....  | 1,980.00    |
| Total .....   | \$ 1,980.00 |
| County Nursing Home—support of inmates and medical supplies, hospitalization and miscellaneous expenses (if so much be necessary) ..... |             |
| Total .....   | \$ 2,000.00 |

## Health Centers

|  |             |
|--|-------------|
| Part salary for one P. H. Nurse I .....                  | \$ 2,845.00 |
| Travel for Sanitarian I @ \$90.00 per month ..           | 1,080.00    |
| Travel for four P. H. Nurses I @ \$90.00 per month ..... | 4,320.00    |
| Travel for County Health Officer II .....                | 820.00      |
| Janitor Service .....                                    | 1,200.00    |
| Drugs and supplies (Lancaster) .....                     | 795.00      |
| Drugs and supplies (Kershaw) .....                       | 180.00      |
| Lights, fuel, water, repairs .....                       | 1,500.00    |
| To Balance Salaries .....                                | 300.00      |

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Total ..... \$ 13,040.00

Vital Statistics and Post Mortems ..... \$ 500.00

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Total ..... \$ 500.00

## Court Expenses

|                                   |              |
|-----------------------------------|--------------|
| Jurors, Witnesses, Bailiff .....  | \$ 10,000.00 |
| Stenographer, Parole Office ..... | 200.00       |

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Total ..... \$ 10,200.00

## Service Officer

|  |             |
|--|-------------|
| Salary and expenses of Service Officer ..... | \$ 4,131.00 |
| Travel, Service Officer .....                | 1,200.00    |
| Salary, Clerk to Service Officer .....       | 3,000.00    |

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Total ..... \$ 8,331.00

## Department of Public Welfare

|   |             |
|---|-------------|
| Child Welfare and emergency assistance .....    | \$ 2,000.00 |
| Expenses, 3 clerks @ \$180.00 .....             | 540.00      |
| Expenses, 5 case workers @ \$30.00 per month .. | 1,800.00    |
| Expenses, 1 case worker (Juvenile Court) ....   | 600.00      |
| Expenses, director .....                        | 600.00      |

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Total ..... \$ 5,540.00

## Juvenile Court

|                        |             |
|------------------------|-------------|
| Judge—Salary .....     | \$ 5,200.00 |
| Secretarial help ..... | 3,000.00    |

|                                  |          |
|----------------------------------|----------|
| Probation Officer .....          | 3,000.00 |
| Travel (Probation Officer) ..... | 300.00   |
| Rent, Postage and supplies ..... | 500.00   |

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Total .....\$ 12,000.00

*Provided*, all fees collected by the Juvenile Court shall be submitted to the County Treasurer quarterly.

#### Miscellaneous

|  |           |
|--|-----------|
| Lancaster County Rescue Squad .....  | \$ 500.00 |
| Rural Fire Fighting Units .....  | 13,000.00 |
| Workmen's Compensation, Rural Firemen ....   | 1,300.00  |
| Liability Insurance—Sheriff's Cars .....   | 1,100.00  |
| Insurance on Public Buildings .....  | 2,000.00  |
| Workmen's Compensation Insurance .....   | 2,900.00  |
| Premium on Blanket Employees' Bond and Bonds of County Officials .....   | 1,000.00  |
| Liability Insurance—County Trucks and Cars ..  | 1,800.00  |
| Boiler Insurance Premiums .....  | 800.00    |
| Telephone and Service Tolls for County Offices   | 5,000.00  |
| Lights, water, fuel and maintenance of County Office Building and Courthouse .....   | 5,000.00  |
| Water Service, Marion Sims Hospital .....  | 1,500.00  |
| Salary, County Minister .....  | 1,200.00  |
| Salary, County Physician .....   | 1,200.00  |
| County's Contributions—Retirement System ..  | 7,000.00  |
| Police Retirement System .....   | 6,000.00  |
| Salary for Secretary, County Board of Registration .....   | 600.00    |
| Lancaster County's portion for the institution and operation of a Mental Health Clinic to serve the Counties of York, Chester and Lancaster .. | 4,970.43  |
| National Guard Unit at Lancaster .....   | 650.00    |
| Tuberculosis for Film .....  | 600.00    |
| Kershaw Public Library .....   | 1,000.00  |
| Rental—A. S. C. ....   | 870.00    |
| Tax Collector .....  | 3,600.00  |
| Civilian Defense Program .....   | 2,600.00  |
| Salary for Clerk and Bookkeeper at Chain Gang  | 2,400.00  |
| Expenses .....   | 1,200.00  |

|  |          |
|--|----------|
| Children's Home (Rent) .....   | 1,800.00 |
| Civil Air Patrol (Lancaster) .....                                   | 300.00   |
| Civil Air Patrol (Kershaw) .....                                     | 250.00   |
| Historical Commission and maintenance of his-<br>torical sites ..... | 1,000.00 |

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|             |              |
|-------------|--------------|
| Total ..... | \$ 73,140.43 |
|-------------|--------------|

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|                   |              |
|-------------------|--------------|
| GRAND TOTAL ..... | \$409,124.43 |
|-------------------|--------------|

## Less Estimated Revenue Other Than Taxes:

|  |              |
|--|--------------|
| Gasoline Tax .....   | \$145,000.00 |
| Insurance Licenses Fees .....                                  | 20,000.00    |
| County Service Officer .....                                   | 4,815.00     |
| Alcoholic Liquors, Beer and Wine Tax and In-<br>come Tax ..... | 83,000.00    |
| State Bank Tax .....   | 17,000.00    |
| Library Fund .....   | 1,500.00     |
| Fines and Forfeitures .....                                    | 75,000.00    |
| Miscellaneous .....  | 1,000.00     |
| Rent from Nursing Home .....                                   | 3,600.00     |
| Fees from Juvenile Court .....                                 | 1,000.00     |

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|             |              |
|-------------|--------------|
| Total ..... | \$351,915.00 |
|-------------|--------------|

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|                                       |              |
|---------------------------------------|--------------|
| Amount to be raised by Taxation ..... | \$ 57,209.43 |
|---------------------------------------|--------------|

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the General Fund of the county.

**SECTION 5.** The county board of directors is hereby authorized to set aside out of the road fund sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit

authorized by the board for the past fiscal year. All claims must be made out and listed separately.

**SECTION 6.** The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except that per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addition to his salary, fifty cents for each commitment and fifty cents for each discharge.

**SECTION 7.** The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided*, the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided*, further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

**SECTION 8.** It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

**SECTION 9.** The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate at Gills Creek Township's office, County Health Department office, County Service Officer, Juvenile Court, Tax Collector, Probation Officer, T. B. Association, Red Cross, Home Demonstration Agent, Civil Defense, Colored Agriculture Agent, County Jail and the Armory. *Provided*, that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

**SECTION 10.** The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least one member of the House of Representatives from Lancaster County, to have an audit made of each county office from the time of the audit June 30, 1962 to July 1, 1963. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public accountant.

**SECTION 11.** Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

**SECTION 12.** The County Board of Directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

**SECTION 13.** Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the authority of the Lancaster County Appropriations Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

**SECTION 14.** A tax of forty-six mills is hereby levied upon all taxable property in Lancaster County for school purposes, of which one mill is hereby directed to be set aside as a reserve fund to cover the anticipated drop in State revenue for the fiscal year 1964-1965. This money shall be used to pay salaries, heat, lights, water and all county-wide expenses. After estimated countywide expenses are budgeted, the balance of the estimated income from this tax and all other sources shall be distributed as follows: The following schools shall be allotted two thousand dollars each to be used as the area superintendents and local boards see fit: Buford High School, Flat Creek High School, Indianland High School, Heath Springs High

School, Hillside High School, Kershaw High School, Lancaster Junior High School, Barr Street High School and Lancaster Senior High School. The remainder of the estimated income shall be allocated to the various school areas on a per pupil basis. Each area shall prepare a breakdown of its budget and present it to the county board of education for approval. *Provided*, that every area superintendent shall keep an itemized record of all receipts and disbursements and shall file the same with the county board of education prior to July 1, 1964. The above records shall be signed by the area superintendent and a majority of the trustees, including the chairman.

**SECTION 15.** It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

**SECTION 16.** In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contracts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

**SECTION 17.** Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1963-1964 for school purposes shall be used to defray costs of the budget for the Lancaster County schools for the year 1963-1964. In preparing the school budget for the school year 1963-1964, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County eight hundred twenty-five dollars or twenty per cent of State aid paid to Lancaster County teachers per year supplement for the school year 1963-1964.

**SECTION 18.** An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred is hereby appropriated for parks and playgrounds; *provided*, that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

**SECTION 19.** Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

**SECTION 20.** If circumstances arise, which, in the judgment of the Lancaster County Legislative Delegation or a majority thereof, including the Senator, require the expenditure of a greater amount than hereinabove provided for any purposes, or should in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds for purposes not mentioned in this act and above enumerated, then the delegation, or a majority thereof, shall have, and is hereby given the right by resolution to increase the amount appropriated for any item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution, or resolutions, shall be filed with the Board of County Directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

**SECTION 21.** One-half mill of the board of education's tax levy shall be used for establishing and helping to finance the branch of

the Extension Division of the University of South Carolina established in Lancaster County.

**SECTION 22.** The total amount of taxes levied for the fiscal year 1963-1964 shall not exceed seventy mills as follows: county bonds and notes, seven mills, county ordinary; school bonds and notes, ten mills, schools; parks and playgrounds, one mill, county ordinary; school operation, forty-six mills, schools; higher education commission, one-half mill, schools; library, one and one-half mills, county ordinary; and county ordinary, four mills.

**SECTION 23.** The clerk and bookkeeper for chain gang and Lancaster County Road Department shall have the following duties: keep records of all vehicle expense, records of all material bought and received, issue materials and parts, keep records of all materials bought in the building and construction of roads and records of all labor used on contract roads. He shall make a monthly report to the county board of directors.

**SECTION 24.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

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(R5, S37)

No. 586

**An Act To Authorize The County Board Of Commissioners Of Laurens County, South Carolina, To Issue Not Exceeding One Hundred Twenty Five Thousand Dollars Of General Obligation Bonds Of Laurens County For The Purposes Enumerated In This Act, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that in order to meet the requirements of the constitutional amendment to Section 5, Article X, ratified by Act No. 28 of 1921, and by which constitutional amendment it is required that whenever bonds of Laurens County be issued for the

construction or maintenance of roads, buildings and public buildings within the county, the question of their issuance be submitted to the qualified electors of the county, the General Assembly did, by Joint Resolution approved April 7, 1962, direct that there be submitted to the qualified electors of Laurens County the question of whether the county board of commissioners of Laurens County (the county board) should be empowered to issue not exceeding one hundred twenty five thousand dollars of general obligation bonds of Laurens County, whose proceeds shall be used for expanding and increasing the facilities of the Laurens County Library. Such election was duly held on the 6th day of November, 1962, and resulted in a favorable vote for the proposition so submitted, and by reason thereof the constitutional condition precedent to the issuance of bonds of Laurens County in the amount and for the purposes above mentioned has been met, and it is therefore in order that legislation be enacted authorizing and empowering the county board to issue bonds to an amount not exceeding one hundred twenty five thousand dollars for the purpose of obtaining funds with which to expand and increase the facilities of the Laurens County Library.

**SECTION 2. Laurens County may issue bonds for library.—**

The county board is hereby authorized and empowered to issue general obligation bonds of Laurens County in the aggregate principal amount of not exceeding one hundred twenty-five thousand dollars and to apply the proceeds of such bonds for the purpose of expanding and increasing the facilities of the Laurens County Library.

**SECTION 3. Maturity.—**Bonds issued pursuant to this act shall mature in such annual series or instalments as the county board shall provide for, except that the first maturing bonds shall mature not later than three years from the date as of which they shall be issued; not less than two per cent of any issue shall mature in any year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

**SECTION 4. Redemption.—**Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision

shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Laurens County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the county board shall prescribe.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates prescribed by the county board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale, after public advertisement of the sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Laurens County, South Carolina, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Laurens County, and collected by the Treasurer of Laurens County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in Laurens County, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of the bonds issued pursuant to this act shall be paid to the Treasurer of Laurens County, and shall be expended and made use of by the county board as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the costs to be incurred in expanding and increasing the facilities of the Laurens County Library.

(d) If any balance remain, it shall be held by the Treasurer of Laurens County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested in the county board.

**SECTION 14. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

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(R40, H1115)

No. 587

**An Act Directing The Treasurer Of Laurens County To Transfer Fifteen Thousand Dollars From Unappropriated Surplus To The County Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Transfer of funds by Laurens County.**—The Treasurer of Laurens County is directed to transfer fifteen thousand dollars from unappropriated surplus to the County Contingent Fund.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R50, S93)

## No. 588

**An Act To Extend The Season For Hunting Rabbits In Laurens County For The Year 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Rabbit season for Laurens County.**—Notwithstanding any other provisions of law the season for hunting rabbits in Laurens County is extended to February fifteenth for the year 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R91, S154)

## No. 589

**An Act To Ratify The Transaction Of October 12, 1962, By Which Fifteen Thousand Dollars Was Transferred From The General Fund Of Laurens County To The Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Transfer of funds by Laurens County ratified.**—The act of the County Treasurer of Laurens County transferring fifteen thousand dollars from the general fund of Laurens County to the contingent fund, which was effected October 12, 1962, is hereby ratified, confirmed and declared to be legal in all respects.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R92, S155)

## No. 590

**An Act To Extend The Season For The Hunting Of Quail In Laurens County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Quail season for Laurens County.**—The open season for the hunting of quail in Laurens County is extended to March 15, 1963.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of March, 1963.

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(R113, S180)

**No. 591**

**An Act To Authorize The Board Of Commissioners Of Laurens County To Convey To The Laurens County Airport Commission Lands Belonging To The County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Laurens County may convey certain property.**—The Board of Commissioners of Laurens County may convey to the Laurens County Airport Commission lands belonging to the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

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(R183, S249)

**No. 592**

**An Act To Provide A Supplemental Appropriation Of Five Thousand Dollars To Be Used By The Supervisor And County Commissioners Of Laurens County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby appropriated from the general fund of Laurens County to supplement appropriations provided in the 1962-63 appropriations act the sum of five thousand dollars to be used by the supervisor and county commissioners of the county.

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

(R234, H1467)

## No. 593

**An Act To Authorize The Board Of Trustees Of School District No. 56 Of Laurens County And The Treasurer Of The County To Borrow Not Exceeding One Hundred Twenty-Five Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Laurens County School District 56 may borrow money.**—The Board of Trustees of School District No. 56 of Laurens County and the Treasurer of Laurens County are authorized to borrow for school purposes not exceeding one hundred twenty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the chairman of the Board of Trustees of the school district and the Treasurer of Laurens County. The note shall bear interest at the rate of four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note, the Auditor of Laurens County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the school district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any installment, the State Treasurer is authorized and directed to withhold all State funds accruing to the school district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

(R333, H1675)

## No. 594

**An Act To Amend Act No. 458 Of The Acts Of 1959, Relating To Hospital Districts In Laurens County, So As To Further Provide For The Board Of Trustees Of The Laurens Hospital District; To Designate The Name Under Which Such Hospital Shall Operate And To Repeal Act No. 610 Of The Acts Of 1957, Relating To The Laurens Hospital District.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Act 458 of 1959 amended—Section 2A added—Laurens Hospital District to be operated by board of trustees—powers and duties—reports.**—Act No. 458 of the Acts of 1959 is amended by adding a new section to read as follows:

“Section 2A. (1) The Laurens Hospital District shall be maintained and operated by a board of trustees consisting of seven members who shall be elected by a majority vote of the Laurens County Delegation, including the Senator. Their terms shall be for two years and until their successors are elected and qualify. The board shall meet quarterly. At the last quarterly meeting of each year a chairman for the next year shall be elected by a majority vote of the members of the board.

(2) The board shall have the power to make all contracts necessary for the maintenance and operation of the hospital, may sue and be sued under the name of Laurens District Hospital and may make all necessary rules and regulations for the conduct of such hospital, may operate a school for training nurses and may receive for the use of the hospital any real or personal property of any kind and may hold such property and use it in the best interest of the hospital. The board shall determine which patients admitted to the hospital are to be classified as charity patients and which are not to be so classified.

(3) The board shall render to the Laurens County Delegation a report of its acts and doings, including an annual audit report and a list of all patients receiving charity. All funds now belonging to the Laurens Hospital District and all funds accruing to the hospital, in addition to the amount needed for the current operation of the same may be invested by the board in United States Government Securities only. All expenditures from the invested funds shall be approved by the board at a regular meeting of the board.”

**SECTION 2. Terms of present members terminated.**—The terms of the present members of the board shall be terminated on the effective date of this act.

**SECTION 3. Act 610 of 1957 repealed.**—Act No. 610 of the Acts of 1957 is repealed.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R581, H1741)

**No. 595**

**An Act To Create The Hickory Tavern Water District In Laurens County And To Prescribe Its Area And Functions; To Provide For Its Governing Body, Their Terms, Powers And Duties; And To Provide Penalties For Certain Actions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Laurens County — Hickory Tavern Water District created.**—There is hereby created a body corporate and politic of perpetual succession to be known as the Hickory Tavern Water District in Laurens County, (hereinafter called the district). It shall be the function of the district to effect the construction of a water-works system, utilizing therefor water from available sources, by purchase or otherwise, at such convenient points as the district shall select, to effect the flow of water through pipes to the community of Hickory Tavern, as herein described, and to such other domestic, commercial or industrial users who can be conveniently and economically served within the service area of the district. The water mains, distribution facilities, tanks, their several component parts, and all apparatus, equipment and property incident thereto or used or useful in the operation thereof and all additions, improvements, extensions and enlargements to any of them shall be referred to in this act as the system. The district shall have the further functions of the duties prescribed by this act, and shall have all of the powers herein granted.

**SECTION 2. Area.**—The district shall include and be comprised of the following territory : Beginning at a point on U. S. 76 east of bridge on the highway crossing North Rabun Creek, thence following a line 200 feet east of the highwater mark of the North Rabun Creek and Rabun Creek to a point in center of S. C. Highway 252 east of bridge on the highway crossing Rabun Creek, thence on a line 300 feet south

of S. C. 252 to Reedy River at Boyds Mill; thence with Reedy River to Tumblin Shoals Crossing of U. S. 76; thence with line 500 feet on northern side of U. S. 76 to intersection with S. C. 54; thence on a line northerly from the intersection of U. S. 76 and S. C. 54, 500 feet westerly of the S. C. 54 to Greenville County line; thence with Greenville County line to point 500 feet east of S. C. 54; thence on a line 500 feet east of S. C. 54 to intersection of county road with S. C. 54, such county road leading eastward from S. C. 54 to U. S. 76; thence on line 500 feet eastwardly of such county road to intersection of such county road with U. S. 76; thence on line 500 feet north of U. S. 76 to North Rabun Creek, thence in a straight line to beginning point.

**SECTION 3. Commission created — members — appointment — terms—vacancies.**—The district shall be operated and managed by a board of directors to be known as the "Hickory Tavern Water District Board." The board shall consist of five resident subscribers to the system of the area who shall be elected by the resident subscribers to the system at a duly advertised meeting of the subscribing residents of the area, to be held within one month from the effective date of this act, and annually thereafter. At such meeting the resident subscribers shall vote for five directors whose terms of office shall be for two directors, two years; for two directors, four years' and for one director, six years. The classification above designated as to the term shall be ascertained by the directors after election by lot. All terms after the initial election shall be for six years. All directors shall hold office until their successors shall have been elected and qualified. The initial terms shall begin as of the day following election. Any vacancy shall be filled in like manner with the original election for the **unexpired** portion of the term. Immediately after election the board shall meet and organize by the election of one of its members as chairman, one as vice chairman, one as secretary, and one as treasurer. The offices of secretary and treasurer may be combined in the discretion of the board.

**SECTION 4. Powers and duties.**—In order that the district shall be fully empowered to construct the system, to operate it, and enlarge and extend it within the limits of the service area, it shall have the following powers:

- (1) To have perpetual succession.
- (2) To sue and be sued.

- (3) To adopt, use and alter a corporate seal.
- (4) To define a quorum for its meetings.
- (5) To maintain a principal office.
- (6) To make bylaws for the management and regulation of its affairs.
- (7) To build, construct, maintain and operate ditches, tunnels, culverts, flumes, conduits, mains, pipes, dikes, dams and reservoirs.
- (8) To build, construct, maintain and operate distribution systems for the distribution of water for domestic or industrial use.
- (9) To acquire and operate any type of machinery, appliances or appurtenances, necessary or useful in constructing, operating and maintaining the system.
- (10) To sell water for industrial or domestic use.
- (11) To prescribe rates and regulations under which such water shall be sold for industrial and domestic use.
- (12) To enter into contracts of long duration for the sale of water with persons, private corporations, municipal corporations or public bodies or agencies.
- (13) To prescribe such regulations as it shall deem necessary to protect from pollution all water in its pipes, tanks, reservoirs, distribution systems or elsewhere within its system.
- (14) To make contracts of all sorts and to execute all instruments necessary or convenient for the carrying on of the business of the district.
- (15) To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
- (16) To make use of county and State highway rights-of-way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.
- (17) Subject always to the limitations of Section 4, Article VIII, of the Constitution of this State, to make use of all the streets and public ways of an incorporated municipality for the purpose of laying pipes and lines.
- (18) To alter and change county and State highways wherever necessary to construct the system under such conditions as the appropriate officials in charge of such highways shall approve.
- (19) To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through

any procedure prescribed by Sections 25-101 through 25-140 and 33-121 through 33-148, of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of those code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph.

(20) To appoint officers, agents, employees and servants; to prescribe the duties of such; to fix their compensation and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

(21) To make contracts for construction, engineering, legal and other services; *provided*, that such contracts shall be let on competitive bidding and shall be awarded to the lowest responsible bidder.

(22) To borrow money and to make and issue negotiable bonds, notes and other evidences of indebtedness, payable from all or any part of the revenues derived from the operation of its system. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of the system, and any extensions, additions and improvements thereto, including engineering costs, legal costs, construction costs; the sum needed to pay interest during the period prior to which the system, or any extension, addition or improvement thereof, shall be fully in operation; such sum as is needed to supply working capital to place the system in operation; and all other expenses of any sort that the district may incur in establishing, extending or enlarging the system. Neither the full faith and credit of the State of South Carolina, nor Laurens County, shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the board, nor any person signing the obligations, shall be personally liable thereon. To the end that a convenient procedure for borrowing money may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682 of the 1962 Code, as now or hereafter constituted, it being the intent of this provision that further amendments and modifications of the code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the power conferred upon the district by such code provisions, the district may make or omit all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by law. Notwithstanding contrary provisions in the Code, the district may:

(a) Disregard any provision requiring that bonds have serial maturities and issue bonds in such form and with such maturities as the district shall determine.

(b) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of its system, as such net revenues may be defined by the district.

(c) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it, or in default as to the performance of any covenant or undertaking made by it, in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(d) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the system, in accordance with the resolutions adopted by the authority as an incident to the issuance of any notes, bonds or types of securities.

(e) Dispose of all obligations at public or private sale, and upon such terms and conditions as it shall approve.

(f) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the district shall approve.

(g) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligation shall be in a fixed amount.

(h) Covenant and agree that no free service will be furnished to any person, municipal corporation, or any subdivision or division of the State.

(i) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(j) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and its consequences may be waived.

(23) To extend its system or systems, within Laurens County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality

when, in the discretion of the board, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements concerning services being received from the district as persons residing within the district. The board may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

**SECTION 5. Rates not subject to state regulation.**—The rates charged for services furnished by the system, as constructed, improved, enlarged and extended, shall not be subject to supervision or regulation by any state bureau, board, commission or like instrumentality or agency thereof.

**SECTION 6. Exempt from taxes.**—(1) Bonds, notes or other evidences of indebtedness issued pursuant to Section 4 (22) of this act and interest payable thereon are hereby exempted from any and all State, county, municipal and other taxation whatsoever under the laws of this State, and it shall be plainly stated on the face of each such obligation as follows:

“The principal of and interest on this (bond, note, or other evidence of indebtedness) are exempted from any and all State, county, municipal and other taxation whatsoever under the laws of the State of South Carolina.”

(2) All property of the district shall be exempt from all ad valorem taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

**SECTION 7. Fiscal year and audit.**—The district shall conduct its affairs on the fiscal year basis employed by the State. As shortly after the close of its fiscal year as may be practicable, an audit of its affairs shall be made by certified public accountants of good standing, to be designated by the district. Copies of such audits incorporated into an annual report shall be filed at the office of the district, and shall be available for inspection by any subscriber to the system.

**SECTION 8. Penalties.**—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with, or impair the system of the district, or any part thereof, or any machinery, apparatus or equipment of the district, or to pollute the water in any part of its system, or to obtain water therefrom except in accordance with the regulations promulgated by the district. Any person violating the provisions of this section shall be deemed guilty

of a misdemeanor and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned for not more than thirty days, in the discretion of the court, and shall be further liable to pay all damages suffered by the district.

**SECTION 9. Municipal agencies may contract with district.—**

The municipalities of Laurens County and all public bodies and public agencies now or hereafter operating water distribution systems in Laurens County shall be fully empowered to enter into contracts to buy water from the district. These contracts shall extend over such period of time and shall contain such terms and conditions as shall be mutually agreeable to the district and to the contracting municipality, public body or public agency.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R585, H1776)

**No. 596**

**An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year 1963-1964; To Direct The Expenditure Thereof; To Provide For The Borrowing Of Money For Laurens County; To Provide Authority For Peace Officers; And To Further Regulate The Fiscal Affairs Of Laurens County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** The County Auditor of Laurens County is hereby directed to levy a tax of fourteen mills on all taxable property of Laurens County for the year 1963 which, together with the estimated revenues for the fiscal year 1963-1964 from other sources applicable to county purposes, shall be sufficient to raise the sums of money hereinafter appropriated. The County Treasurer of Laurens County is hereby directed to collect the tax in the manner provided by law.

**SECTION 2.** Subject to the terms and conditions of this act, the sums of money set forth herein, if so much be necessary, be, and the same are hereby appropriated out of the general fund of Laurens County, to meet the ordinary operating expenses of Laurens County.

applicable to the fiscal year 1963-1964 and for such other purposes as may be hereinafter specifically designated.

**SECTION 3.** Appropriations:

## Item 1. Board of Commissioners:

## A. Salaries:

|  |             |
|--|-------------|
| 1. Supervisor .....                        | \$ 5,197.50 |
| 2. Commissioners (2 @ \$769.65 each) ..... | 1,539.30    |
| 3. Clerk .....                             | 3,176.25    |
| 4. Assistant .....                         | 2,887.50    |

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12,800.55

## B. Travel:

|  |          |
|--|----------|
| 1. Travel for Supervisor .....                 | 2,400.00 |
| 2. Travel for 2 Commissioners @ \$350.00 ..... | 700.00   |

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3,100.00

|                          |        |
|--------------------------|--------|
| C. Office Supplies ..... | 800.00 |
|--------------------------|--------|

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800.00

## D. Courthouse:

|  |           |
|--|-----------|
| 1. Water, lights, fuel, telephone, janitor, supplies,<br>cleaning grounds .....                                    | 10,000.00 |
| 2. Beautifying the lawn and building walks—to be<br>done under the supervision of the County Garden<br>Clubs ..... | 100.00    |
| 3. Ladies' Rest Room .....   | 900.00    |

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11,000.00

|  |          |
|--|----------|
| E. Insurance—for Courthouse, Jail, County Home,<br>Agriculture Building and Chain Gang Camp<br>Buildings ..... | 1,500.00 |
|--|----------|

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1,500.00

## F. Supervisor:

|   |           |
|---|-----------|
| 1. Salaries .....   | 56,918.40 |
| 2. Maintenance of roads and bridges and supplies .....  | 90,000.00 |
| 3. For equipment and supplies and for patching and<br>otherwise improving black top roads ..... | 50,000.00 |

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196,918.40

## G. County Home:

## 1. Salaries:

|  |          |
|--|----------|
| a. Superintendent .....  | 2,236.08 |
| b. Assistant Superintendent .....  | 444.68   |
| c. Additional help to care for inmates .....   | 3,194.40 |
| 2. Food, clothing, fuel, lights, etc. for inmates, and<br>for farming expenses ..... | 9,000.00 |

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14,875.16

|   |          |
|---|----------|
| H. S. C. Retirement System for County Employees | 9,300.00 |
| H-1. County's part of Social Security .....     | 7,225.00 |
| H-2. County's part of Travelers Insurance ..... | 350.00   |

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16,875.00

|  |          |
|--|----------|
| I. S. C. Industrial Commission—premium for<br>Workmen's Compensation Insurance ..... | 2,885.02 |
|--|----------|

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2,885.02

|                          |        |
|--------------------------|--------|
| J. County Attorney ..... | 500.00 |
|--------------------------|--------|

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500.00

|  |          |
|--|----------|
| K. S. C. Police Officers Retirement System ..... | 4,000.00 |
|--|----------|

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4,000.00

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TOTAL, ITEM 1 ..... 265,254.13

## Item 2. Clerk of Court:

## A. Salaries:

|   |             |
|---|-------------|
| 1. Clerk of Court .....   | \$ 5,197.50 |
| 2. Deputy Clerk .....   | 3,176.25    |
| 3. Clerical Assistant .....   | 2,887.50    |
| 4. Janitor for Courthouse—to be named by Clerk<br>of Court and perform such duties as the Clerk<br>prescribes ..... | 2,700.00    |

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13,961.25

|                                    |        |
|------------------------------------|--------|
| B. Travel for Clerk of Court ..... | 300.00 |
|------------------------------------|--------|

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300.00

|                            |          |
|----------------------------|----------|
| C. Office Supplies .....   | 5,350.00 |
| 1. Photostat Machine ..... | 3,000.00 |
| 2. Filing Desk .....       | 850.00   |
|                            | <hr/>    |
|                            | 9,200.00 |

|  |           |
|--|-----------|
| D. Circuit Court and Civil and Domestic Relations<br>Court—expenses, including jurors, witnesses and<br>bailiffs ..... | 24,500.00 |
|  | <hr/>     |
|  | 24,500.00 |

*Provided*, witnesses shall receive two dollars per day and all jurors, bailiffs and the court crier in attendance upon the court shall receive as compensation the sum of seven dollars and fifty cents per diem and mileage as now prescribed by law.

|                     |          |
|---------------------|----------|
| E. Extra Help ..... | 1,000.00 |
|                     | <hr/>    |
|                     | 1,000.00 |

|                     |              |
|---------------------|--------------|
| TOTAL, ITEM 2 ..... | \$ 48,961.25 |
|---------------------|--------------|

## Item 3. Auditor:

|                           |             |
|---------------------------|-------------|
| A. Salaries:              |             |
| 1. Auditor .....          | \$ 1,911.53 |
| 2. First Assistant .....  | 3,176.25    |
| 3. Second Assistant ..... | 2,887.50    |
| 4. Third Assistant .....  | 2,887.50    |
|                           | <hr/>       |
|                           | 10,862.78   |

|   |          |
|---|----------|
| B. Office Supplies, includes \$250.00 IBM maintenance ..... | 1,500.00 |
|   | <hr/>    |
|   | 1,500.00 |

|  |          |
|--|----------|
| C. Board of Assessors and Equalization—each member shall be paid seven dollars and fifty cents per day for services actually rendered plus state mileage of seven cents per mile ..... | 2,250.00 |
|  | <hr/>    |
|  | 2,250.00 |

|  |              |
|--|--------------|
| D. Travel for Auditor .....  | 900.00       |
|  | <hr/>        |
|  | 900.00       |
| TOTAL, ITEM 3 .....  | \$ 15,512.78 |
| Item 4. Treasurer:   |              |
| A. Salaries:   |              |
| 1. Treasurer .....   | \$ 1,911.53  |
| 2. Assistant .....   | 3,176.25     |
| 3. Extra Help .....  | 100.00       |
|  | <hr/>        |
|  | 5,187.78     |
| B. Travel for Treasurer .....  | 300.00       |
|  | <hr/>        |
|  | 300.00       |
| C. Tax Collector:  |              |
| 1. Salaries:   |              |
| a. Supervisor, Tax Collector's Office .....  | 693.00       |
| b. Deputy Delinquent Tax Collector .....   | 4,158.00     |
|  | <hr/>        |
|  | 4,851.00     |
| <i>Provided</i> , that the Supervisor of the Tax Collector's Office shall designate the Deputy Tax Collector and field men; <i>provided</i> , further, that all fees and costs of execution shall be remitted to the general fund of the county; <i>provided</i> , however, that one dollar of the execution fee and mileage shall be paid to the field men as compensation for services, plus three per cent of the amount collected. |              |
| D. Office Supplies .....   | 3,100.00     |
|  | <hr/>        |
|  | 3,100.00     |
| TOTAL, ITEM 4 .....  | \$ 13,438.78 |
| Item 5. Superintendent of Education:   |              |
| A. Salaries:   |              |
| 1. Superintendent of Education .....   | \$ 838.53    |
| 2. Assistant .....   | 3,176.25     |

|   |             |
|---|-------------|
| 3. Attendance Teacher .....                     | 363.00      |
| 4. Supervisor of School Lunch Program .....     | 363.00      |
|   | <hr/>       |
|   | 4,740.78    |
| B. Travel for Superintendent of Education ..... | 900.00      |
| Travel for School Lunch Supervisor .....        | 522.00      |
| Travel for Attendance Teacher .....             | 600.00      |
|   | <hr/>       |
|   | 2,022.00    |
| C. Office Supplies .....                        | 350.00      |
|   | <hr/>       |
|   | 350.00      |
| D. Attendance Teacher—aid for needy children... | 200.00      |
|   | <hr/>       |
|   | 200.00      |
|   | <hr/>       |
| TOTAL, ITEM 5 .....                             | \$ 7,312.78 |

## Item 6. Sheriff:

## A. Salaries:

|  |             |
|--|-------------|
| 1. Sheriff .....   | \$ 5,197.50 |
| 2. Chief Deputy .....  | 3,984.12    |
| 3. Deputy Sheriffs (9 @ \$3,354.12) .....  | 30,187.08   |
| <i>Provided</i> , one of the above Deputy Sheriffs shall be assigned to the Wattsville area. |             |
| 4. Deputy for day work .....   | 3,354.12    |
| 5. Deputy for night work .....   | 3,354.12    |
| 6. Jailer .....  | 3,354.12    |
| 7. Deputy Sheriffs for mills—(3 @ \$215.99) ....   | 647.97      |
|  | <hr/>       |
|  | 50,079.93   |

*Provided*, the Sheriff shall have the authority to name one Deputy as Chief Deputy, and such Deputy shall be placed under bond of \$2,500.00.

## B. Travel:

|  |           |
|--|-----------|
| 1. Sheriff .....                           | 2,400.00  |
| 2. Deputy Sheriffs—10 @ \$200.00 mth. .... | 24,000.00 |
| 3. Deputy Sheriffs—2 @ \$75.00 mth. ....   | 1,800.00  |
| 4. Day Clerk—\$100.00 per mo. ....         | 1,200.00  |

|   |              |
|---|--------------|
| 5. Head Mill Deputy at Joanna, transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$100.00 per mo. ....   | 1,200.00     |
| 6. Head Mill Deputy at Lydia Mill, transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$100.00 per mo. ....   | 1,200.00     |
|   | <hr/>        |
|   | 31,800.00    |
| C. Uniforms and overcoats—July 1, 1963 to June 30, 1964—13 @ \$150.00 per year .....  | 1,950.00     |
|   | <hr/>        |
|   | 1,950.00     |
| D. Office Supplies .....  | 800.00       |
|   | <hr/>        |
|   | 800.00       |
| E. Radio System:  |              |
| 1. Maintenance .....  | 900.00       |
| 2. Supplies .....   | 500.00       |
| 3. Payment on Sheriff's Radios .....  | 2,402.52     |
|   | <hr/>        |
|   | 3,802.52     |
| F. Jail:  |              |
| Water, lights, fuel, disinfectants, plumbing, returning prisoners taken into custody outside of county and outside of State, and dieting prisoners at one dollar and five cents per day ..... | 12,000.00    |
|   | <hr/>        |
|   | 12,000.00    |
|   | <hr/>        |
| TOTAL, ITEM 6 .....   | \$100,431.55 |
| Item 7. Judge of Probate:   |              |
| A. Salaries:  |              |
| 1. Judge of Probate .....   | \$ 5,197.50  |
| 2. Clerk .....  | 3,176.25     |
| 3. Assistant .....  | 2,887.50     |
|   | <hr/>        |
|   | 11,261.25    |
| <i>Provided</i> , that all fees collected in this office shall be turned over to the county treasurer. This does not include commissions received from the Tax                                |              |

Commission on inheritance taxes. Certified copies of marriage licenses shall be furnished free of charge on request, to persons in the Armed Services of the United States and to veterans of the Korean Conflict, but no more than one copy shall be furnished without charge.

|                                   |          |
|-----------------------------------|----------|
| B. Travel for Probate Judge ..... | 900.00   |
|                                   | <hr/>    |
|                                   | 900.00   |
| C. Office Supplies .....          | 1,500.00 |
|                                   | <hr/>    |
|                                   | 1,500.00 |

TOTAL, ITEM 7 .....\$ 13,661.25

Item 8. Health Department:

County's part of salaries and travel allowance of county employees, office supplies and maintenance of building. It shall be the duty of the Health Department to handle the vital statistics of Laurens County .....\$ 21,233.00

TOTAL, ITEM 8 .....\$ 21,233.00

Item 9. Magistrates:

A. Salaries:

|   |             |
|---|-------------|
| 1. Laurens .....  | \$ 1,732.50 |
| 2. Clinton .....  | 1,397.55    |
| 3. Cross Hill .....   | 320.25      |
| 4. Waterloo .....   | 320.25      |
| 5. Gray Court .....   | 320.25      |
| 6. Youngs .....   | 320.25      |
| 7. Scuffletown .....  | 320.25      |
| 8. Sullivans .....  | 320.25      |
| 9. Jacks .....  | 320.25      |
| 10. Joanna .....  | 320.25      |
| 11. For stenographic help in holding inquests and preliminaries, to be expended upon the approval of the coroner and the sheriff, if so much be necessary ..... | 600.00      |

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6,292.05

*Provided*, however, that in addition to the above compensation, each Magistrate shall be paid the sum of ten dollars for each jury trial in which he or she presides and for each inquest.

|   |          |
|---|----------|
| B. Office Rent—Clinton .....  | 144.00   |
|   | <hr/>    |
|   | 144.00   |
| C. Office Supplies .....  | 400.00   |
| C-1. Stamps and stationery @ \$10.00 per magistrate   | 100.00   |
|   | <hr/>    |
|   | 500.00   |
| D. For payment of jurors in criminal cases, and<br>for miscellaneous expenses, including payments<br>to magistrates for holding jury trials and in-<br>quests ..... | 2,300.00 |
|   | <hr/>    |
|   | 2,300.00 |

*Provided*, that hereafter all jurors actually serving in trial of criminal cases in Magistrates' Courts shall be paid two dollars for each case so tried. The presiding magistrate shall issue to each juror so serving a pay certificate showing the date of service which shall be paid upon presentation to the county treasurer.

|                     |             |
|---------------------|-------------|
| TOTAL, ITEM 9 ..... | \$ 9,236.05 |
|---------------------|-------------|

Item 10. Agriculture:

|  |           |
|--|-----------|
| A. County Supplement to State Income:  |           |
| 1. County Agent .....  | \$ 600.00 |
| 2. Secretary to County Agent .....   | 120.00    |
| 3. Stenographer for Home Demonstration Agent.  | 360.00    |
| 4. Assistant County Agent .....  | 660.00    |
| 5. Second Assistant County Agent .....   | 600.00    |
| 6. Demonstration Materials—Home Demonstra-<br>tion Agent .....   | 120.00    |
|  | <hr/>     |
|  | 2,460.00  |
| B. Agriculture Building—pay for janitor, janitor<br>supplies, plumbing and other minor repairs,<br>fuel, water, lights, telephone and postage..... | 900.00    |
|  | <hr/>     |
|  | 900.00    |

## C. Club Work:

|                               |        |
|-------------------------------|--------|
| 1. Boys' 4-H Club Work .....  | 100.00 |
| 2. Girls' 4-H Club Work ..... | 100.00 |
| 3. Negro 4-H Club Work .....  | 100.00 |
| 4. F. F. A. ....              | 175.00 |
| 5. Future Homemakers .....    | 175.00 |

650.00

|   |        |
|---|--------|
| D. Rent, lights and fuel—Negro County Agent.. | 350.00 |
|---|--------|

350.00

|  |        |
|--|--------|
| E. Stenographer for Negro Farm Agent ..... | 900.00 |
| 1. Demonstration Material .....            | 50.00  |

950.00

## F. Rent:

|                     |        |
|---------------------|--------|
| 1. AAA Office ..... | 600.00 |
| 2. FSA Office ..... | 270.00 |

870.00

|   |        |
|---|--------|
| G. Laurens Cooperative Breeding Association ... | 400.00 |
|---|--------|

400.00

TOTAL, ITEM 10 .....\$ 6,580.00

## Item 11. Department of Public Welfare:

|  |             |
|--|-------------|
| A. For maintenance, including office expense and<br>mileage for Child Welfare Worker ..... | \$ 4,575.00 |
|--|-------------|

4,575.00

*Provided*, that the board members shall receive  
\$25.00 per month from this fund.

|                               |          |
|-------------------------------|----------|
| B. Emergency Assistance ..... | 2,400.00 |
|-------------------------------|----------|

2,400.00

|                             |          |
|-----------------------------|----------|
| C. Boarding Home Care ..... | 1,500.00 |
|-----------------------------|----------|

1,500.00

|                                |          |
|--------------------------------|----------|
| D. Aid for indigent aged ..... | 1,000.00 |
|--------------------------------|----------|

1,000.00

|  |              |
|--|--------------|
| E. Travel for employees on a prorata basis .....           | 1,400.00     |
|  | <hr/>        |
|  | 1,400.00     |
| F. Heart Fund .....  | 300.00       |
|  | <hr/>        |
|  | 300.00       |
|  | <hr/>        |
| TOTAL, ITEM 11 .....                                       | \$ 11,175.00 |
| Item 12. County Service Officer .....                      | \$ 5,197.50  |
| Secretary to County Service Officer .....                  | 2,887.50     |
| Office Supplies and travel .....                           | 1,000.00     |
|  | <hr/>        |
|  | 9,085.00     |
|  | <hr/>        |
| TOTAL, ITEM 12 .....                                       | \$ 9,085.00  |
| Item 13. Domestic Relations Court:                         |              |
| A. Salaries:   |              |
| 1. Judge .....   | \$ 4,800.00  |
| 2. Stenographer .....                                      | 1,524.60     |
| 3. Office Supplies and Rent .....                          | 600.00       |
|  | <hr/>        |
|  | 6,924.60     |
|  | <hr/>        |
| TOTAL, ITEM 13 .....                                       | \$ 6,924.60  |
| Item 14. Laurens County Library .....                      | \$ 17,000.00 |
| <i>Provided, that the distribution and circulation</i>     |              |
| <i>of library books in rural schools shall not be cur-</i> |              |
| <i>tailed.</i>   |              |
|  | <hr/>        |
|  | 17,000.00    |
|  | <hr/>        |
| TOTAL, ITEM 14 .....                                       | \$ 17,000.00 |
| Item 15. Coroner:  |              |
| A. Salary:   |              |
| 1. Coroner .....   | \$ 2,400.00  |
|  | <hr/>        |
|  | 2,400.00     |
|  | <hr/>        |
| TOTAL, ITEM 15 .....                                       | \$ 2,400.00  |

## Item 16. County Physician:

## A. Salaries:

1. County Physician .....\$ 1,250.00

B. Medical Supplies ..... 300.00

*Provided*, no medical supplies shall be purchased  
except on written approval of the County Physi-  
cian and shall not exceed \$25.00 per month.

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1,550.00

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TOTAL, ITEM 16 .....\$ 1,550.00

## Item 17. Forest Fire Control:

A. Per diem and mileage for board members ....\$ 200.00

B. Ranger ..... 300.00

C. 3 Wardens @ \$120.00 ..... 360.00

D. Tractor Driver ..... 120.00

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980.00

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TOTAL, ITEM 17 .....\$ 980.00

## Item 18. Miscellaneous:

A. County Audit—not to exceed ..... 3,500.00

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3,500.00

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B. Secretary of Delegation—Office expense and  
telephone ..... 400.00

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400.00

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C. Lunacy Examinations ..... 1,300.00

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1,300.00

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D. Contingent ..... 10,000.00

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10,000.00

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E. Board of Registration (3 @ \$100.00 for meeting  
away from County Seat) ..... 300.00

E-1. Travel—\$150.00 each ..... 450.00

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750.00

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|   |              |
|---|--------------|
| F. Premium on Bonds .....   | 825.00       |
|   | <hr/>        |
|   | 825.00       |
| G. Supplement for stenographer to Probation Officer .....   | 800.00       |
| 1. Office Expense .....   | 50.00        |
| 2. Liaison Officer for Solicitor .....  | 1,800.00     |
|   | <hr/>        |
|   | 2,650.00     |
| H. Civil Defense .....  | 4,000.00     |
|   | <hr/>        |
|   | 4,000.00     |
|   | <hr/>        |
| TOTAL, ITEM 18 .....  | \$ 23,425.00 |
| Item 19. National Guard Units:  |              |
| A. Laurens .....  | \$ 600.00    |
|   | <hr/>        |
|   | 600.00       |
| B. Clinton .....  | 600.00       |
|   | <hr/>        |
|   | 600.00       |
| <p>These funds are not available if any of the above guard units are called into Federal Service, or if called out to police any integrated school in this State.</p> |              |
|   | <hr/>        |
| TOTAL, ITEM 19 .....  | \$ 1,200.00  |
| Item 20. Contributions:   |              |
| A. Transportation and Medicine for cancer patients .....  | 1,800.00     |
|   | <hr/>        |
|   | 1,800.00     |
| B. Soil Conservation Office .....   | 500.00       |
| B-1. Stenographer .....   | 600.00       |
|   | <hr/>        |
|   | 1,100.00     |
|   | <hr/>        |
| TOTAL, ITEM 20 .....  | \$ 2,900.00  |

## Item 21. Mental Health Clinic

Area No. 5 Mental Health Clinic—Laurens

County's prorated contribution .....\$ 6,700.00

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6,700.00

TOTAL, ITEM 21 .....\$ 6,700.00

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GRAND TOTAL .....\$584,961.17

## Estimated Revenues:

Estimated income on 14 mills taxes .....\$185,000.00

Fines ..... 63,028.83

Gasoline tax ..... 153,906.45

Alcoholic Liquors tax ..... 38,688.42

Beer and Wine tax ..... 10,732.05

Income tax ..... 50,410.77

Delinquent taxes—County ..... 6,971.25

Delinquent tax, Fees ..... 3,224.00

Recording Fees (Clerk's Office) ..... 30,000.00

Dividends ..... 3,200.00

National Forest Fund ..... 4,158.91

Library Board ..... 6,511.00

Bank Tax ..... 5,906.25

Service Office ..... 4,815.00

Insurance License Fees ..... 24,497.55

Civil Defense ..... 4,000.00

Miscellaneous Fees ..... 7,503.32

Surplus on Hand ..... 60,000.00

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Total, Estimated Revenues .....\$662,553.80

**SECTION 4.** The county sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to the county treasurer all fines, fees and mileage, except all fees collected for the service of magistrates' papers. The report shall be made on or before the tenth day of each month.

**SECTION 5.** The county supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation in the General Assembly, giving an itemized and verified statement of all expenditures pertaining to his office which have been paid

by him and also an itemized statement of all debts and obligations incurred for which Laurens County is liable. The report shall be made on or before April fifteenth, July fifteenth, October fifteenth and January fifteenth of each year.

**SECTION 6.** The supervisor and county commissioners are hereby required to keep a separate account covering the various items of the appropriations act not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, the officers shall be held on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act, except upon written approval of a majority of the delegation.

**SECTION 7.** The county treasurer is authorized to pay claims for school teachers' salaries and for other school purposes from the general fund for the county, all such amounts to be refunded to the general fund when State aid and current school taxes are received in the treasurer's office.

**SECTION 8.** The official bond for the County Supervisor of Laurens County shall be ten thousand dollars and no claim against Laurens County shall be paid until it has had the approval in writing of the county supervisor and at least one of the two county commissioners. All expenditures in excess of the appropriations herein made, and not duly authorized by law, made by the County Supervisor and Board of County Commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County and all such contracts shall be null and void unless same have previously been approved by a majority of the delegation. The official bond of the county supervisor and county commissioners shall be responsible for all unauthorized expenditures and contracts made by such officers on behalf of Laurens County. The supervisor is hereby required to notify the sheriff immediately upon the escape of any convict from the county chain gang, and the sheriff shall have his actual expenses for the capture of such escaped convict, when necessary to go out of the county. All claims must be signed by the supervisor and the two county commissioners.

**SECTION 9.** The board of county commissioners is hereby authorized and directed to divide the expenditures of such appropriations

into monthly payments and monthly expenditures shall not exceed one-twelfth of the annual appropriation, unless otherwise stipulated.

**SECTION 10.** In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the named, three special deputies to have the usual authority of peace officers, and who shall be assigned to duty as follows: two at Joanna Mill and one at Lydia Mill, as the sheriff may designate and shall be paid by the Treasurer of Laurens County the sum of two hundred five dollars and seventy cents each per year, and the two mills may supplement the salaries if they do so desire, such appointments to be made for a period of two years; *provided*, however, that the terms of such appointments shall not extend beyond the term of the sheriff at any time. Such deputies must be sworn in office before the Clerk of Court of Laurens County, and shall have the usual bond in the sum of one thousand dollars, conditioned upon the faithful performance of duty. *Provided*, that all pay and allowances for mill deputies provided by this act shall be paid by the treasurer only when approved by the Sheriff of Laurens County.

**SECTION 11.** The Board of County Commissioners of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County, including the county home, and shall accept the lowest responsible bid for the same and any purchase not made in conformity thereto shall not be a debt against the county. *Provided*, however, the board of commissioners shall purchase any such supplies from the State Purchasing Agent if such purchases can be made at a cost less than the lowest bid herein referred to. Supplies herein mentioned include road materials, office equipment, and other equipment and machinery of a value of more than one hundred dollars, but does not include purchase of parts of personal service for repairs of equipment where no competitive part or service is available; *provided*, that the board shall have the right to reject any bid which does not meet its requirements as to quality, specifications or description. *Provided*, further, that the term "board of commissioners" shall include the supervisor and the two county commissioners.

**SECTION 12.** The salaries herein provided for the various officers of Laurens County, except magistrates, shall be in lieu of all fees and costs, of whatsoever nature or description, collectible by them for services rendered on or after April 1, 1935. All fees or costs

collected by any of such officers under the law providing the same for services rendered shall be turned over by such officer to the County Treasurer of Laurens County monthly, together with a statement under oath, showing the amount collected during the month immediately preceding such statement. All county officers are hereby forbidden to deposit any monies belonging to the county with his or her personal accounts.

**SECTION 13.** The official bond required of the Sheriff of Laurens County shall be five thousand dollars for which amount he shall give bond for the faithful performance of his duties, the premium of which shall be paid by the county, *provided*, that each of his deputies is required to give surety bond, conditioned upon the faithful performance of his duties, in the sum of one thousand dollars, the premium of the bonds of such deputies to be paid by Laurens County.

**SECTION 14.** There is hereby levied upon all the taxable property of the Laurens Hospital District four mills, which shall be known as the hospital fund for the Laurens Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients of the Laurens Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Laurens County Hospital District, *provided*, however, that patients admitted to the hospital from the county jail, county gang and from courts of the county and State shall be considered and treated as charity.

**SECTION 15.** There is hereby levied upon all the taxable property of the Clinton Hospital District four mills, which shall be known as the hospital fund for the Clinton Hospital District. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the hospital located in the District and the balance thereof shall be expended for the care and support of the needy or charity patients of the Clinton Hospital District and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the Clinton County Hospital District, *provided*, however, that patients admitted to the hospital from the county jail, county gang, and from the courts of the county and State shall be considered and treated as charity.

**SECTION 16.** Provisions made herein for additional clerical help in the several offices shall not be used to supplement salaries of regular employees.

**SECTION 17.** The county treasurer is hereby authorized, empowered and directed to transfer from the county sinking fund to the general fund of the county the funds now in and hereafter accruing to the account for the past indebtedness.

**SECTION 18.** The auditor shall levy and the treasurer shall collect the tax on all the taxable property of Laurens School District No. 55 and Laurens School District No. 56, not to exceed thirty-five mills. *Provided*, that in School District No. 56 the above thirty-five mill levy shall include four mills for the payment of the bond levy, and one mill which shall be applied to the existing deficit. *Provided*, further, that in the event any money shall remain in the current operating fund of School District No. 55 or School District No. 56, at the end of the fiscal year, all such money shall be applied to any deficit of the respective districts. The treasurer shall credit the amounts collected in the respective districts to the account of the districts, and the funds shall be expended under the supervision and direction of the trustees of such school districts for general school purposes.

*Provided*, further, that the trustees of either School District No. 55 or School District No. 56 shall petition the County Board of Education of Laurens County for an election on the question of raising the levy for school purposes whenever a greater levy than thirty-five mills is needed to meet the budgets of the school districts.

**SECTION 19.** Any funds received by the treasurer by reason of the terms of the Appropriations Act for 1962 for the benefit of the schools of Laurens County shall be credited to the districts as provided by law and shall be expended by the trustees of the districts for general school purposes.

**SECTION 20.** All transfers of funds heretofore made by the county treasurer from one account to another made upon the written request of a majority of the Laurens County Legislative Delegation including the Senator are hereby validated.

**SECTION 21.** The appropriation hereinabove made for the County Attorney, and for the hiring of auditors to audit the books shall be spent only upon direction of the Laurens County Legislative Delegation.

tion, including the Senator; and the County Attorney and the Company which audits the County books shall be named by the Laurens County Legislative Delegation, including the Senator.

**SECTION 22.** The contingent fund hereinabove created in the sum of ten thousand dollars shall be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator, to take care of any contingencies arising.

**SECTION 23.** Any surplus in the general fund may be transferred from the general fund by a majority of the legislative delegation, including the Senator.

**SECTION 24.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R604, H1879)

**No. 597**

**An Act To Provide A Supplemental Appropriation For An Increase In Teachers' Salaries In Laurens County, And To Provide A Tax Levy Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** There is hereby appropriated thirty-three thousand dollars for School District No. 55 and thirty-one thousand dollars for School District No. 56, which shall be utilized as a supplement to increase to twenty per cent the 1962-1963 State Aid Schedule for teachers in the respective districts. *Provided*, that the county auditor shall first ascertain from the State Auditor whether or not sufficient State funds will be forthcoming for this purpose. If, by June 30, 1963, the county auditor determines that State funds are insufficient to pay the increase provided in this act, the auditor of the county shall levy, and the treasurer shall collect, a sufficient tax in the respective districts to pay the increase; *provided*, however, the tax shall in no event exceed five mills.

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R426, H1717)

## No. 598

**An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1963-1964, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** Out of the available funds now on hand, and to be received, there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1963, and ending June 30, 1964, the following :

Item 1. Roads, bridges and chain gang :

|   |             |
|---|-------------|
| Salary, Superintendent of Roads .....           | \$ 4,800.00 |
| Salary, Bridge Superintendent .....             | 3,120.00    |
| Salary, (2) employees @ \$2,820.00 .....        | 5,640.00    |
| Salary, (3) employees @ \$2,520.00 .....        | 7,560.00    |
| Salary, (1) employee .....                      | 1,800.00    |
| Clothing and bedding for prisoners .....        | 3,000.00    |
| Gasoline, oil, grease, tires and tubes .....    | 7,800.00    |
| Lumber and pipe .....                           | 3,000.00    |
| Coal, lights, medicine and doctor's bills ..... | 2,400.00    |
| Repairs and other miscellaneous items .....     | 11,000.00   |
| Dieting prisoners and guards' meals .....       | 8,000.00    |

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Total Item 1 .....\$ 58,120.00

Item 2. Administrative :

|   |             |
|---|-------------|
| Auditor (to make total salary \$5,348.00) .....               | \$ 1,500.00 |
| Treasurer (to make total salary \$5,348.00) ....              | 1,500.00    |
| Clerk of Court .....  | 2,360.00    |
| Attorney .....  | 600.00      |
| Coroner .....   | 775.00      |
| Chairman, County Board of Commissioners ad-<br>ditional ..... | 260.00      |
| County Commissioners, seven @ \$600.00 each ..                | 4,200.00    |
| Clerk, Auditor's Office .....                                 | 2,580.00    |
| Clerk, Treasurer's Office .....                               | 2,580.00    |
| Clerk, County Board of Commissioners .....                    | 3,400.00    |
| Assistant Clerk, County Board of Commissioners                | 1,200.00    |
| Clerk, Clerk of Court's Office .....                          | 2,580.00    |

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Total Item 2 .....\$ 23,535.00

## Item 3. Judicial:

|   |             |
|---|-------------|
| Judge of Probate .....  | \$ 1,200.00 |
| Clerk, Judge of Probate's Office .....  | 1,200.00    |
| Magistrate, Bishopville .....   | 1,800.00    |
| Magistrate, Lynchburg .....   | 1,100.00    |
| Magistrate, Lucknow .....   | 600.00      |
| Magistrate, St. Charles .....   | 600.00      |
| Magistrate, Spring Hill .....   | 600.00      |
| Magistrate, Ashwood .....   | 600.00      |
| Magistrate, Cypress .....   | 600.00      |
| Magistrate, Ionia .....   | 600.00      |
| Magistrate, Stokes' Bridge .....  | 600.00      |
| Jurors, Bailiffs and witnesses, including per diem<br>of jurors and bailiffs at \$4.00 and witnesses at<br>\$1.00 per day ..... | 2,000.00    |

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Total Item 3 ..... \$ 11,500.00

## Item 4. Law Enforcement:

|   |             |
|---|-------------|
| Sheriff, salary .....   | \$ 4,380.00 |
| Sheriff, traveling expense .....                              | 1,500.00    |
| Deputies, (5) at \$2,700.00 each per annum ....               | 13,500.00   |
| Deputies, subsistence (5) at \$600.00 each per<br>annum ..... | 3,000.00    |
| Clerk, Sheriff's Office .....                                 | 2,580.00    |
| Jailor .....  | 1,860.00    |
| Miscellaneous jail expense .....                              | 1,000.00    |
| Dietering jail prisoners .....                                | 2,400.00    |
| Uniforms for Sheriff and (5) deputies .....                   | 600.00      |
| Miscellaneous administrative expenses .....                   | 500.00      |
| Gas, oil, batteries, tires and repairs to police cars         | 5,000.00    |
| Maintenance of Police Radios .....                            | 1,000.00    |

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Total Item 4 ..... \$ 37,320.00

## Item 5. Social Welfare:

|   |             |
|---|-------------|
| General Relief .....  | \$ 3,000.00 |
| Old soldiers and their widows residing in Lee<br>County ..... | 60.00       |
| Lee County Health Department .....                            | 8,000.00    |

|   |                     |
|---|---------------------|
| Public Welfare Department (matching fund for expenses) .....  | 1,000.00            |
| Vital Statistics (Health Department) .....  | 250.00              |
| <b>Total Item 5 .....</b>   | <b>\$ 12,510.00</b> |
| <b>Item 6. Courthouse and public buildings:</b>   |                     |
| Workmen's compensation insurance .....  | \$ 1,000.00         |
| Water, fuel, lights, insurance and bonds .....  | 9,000.00            |
| Janitor, Courthouse .....   | 2,400.00            |
| Janitress Courthouse (appointed by janitor) ..  | 400.00              |
| <b>Total Item 6 .....</b>   | <b>\$ 12,800.00</b> |
| <b>Item 7. Miscellaneous:</b>   |                     |
| Contingent fund, to be disbursed only on written approval of the county legislative delegation .... | \$ 10,000.00        |
| Post mortems and lunacy .....   | 1,000.00            |
| Board of Tax Assessors and Tax Appeals ....   | 500.00              |
| Books, etc., Clerk of Court's Office .....  | 1,000.00            |
| Printing, postage and stationery .....  | 2,000.00            |
| American Legion Hut and grounds, Bishopville .....  | 100.00              |
| American Legion Hut and grounds, Lynchburg .....  | 100.00              |
| V.F.W. Hut and grounds, Bishopville .....   | 100.00              |
| 4-H Boys' Club Work .....   | 100.00              |
| 4-H Girls' Club Work .....  | 100.00              |
| Additional salary, Home Demonstration Agent ..  | 420.00              |
| Additional salary, County Agent .....   | 900.00              |
| Additional salary, Assistant County Agent ....  | 660.00              |
| Clerk, Soil Conservation Office .....   | 600.00              |
| Home Demonstration Agent and County Agent demonstration supplies .....                              | 125.00              |
| Salary, County Service Officer .....  | 3,200.00            |
| Clerk, County Service Officer .....   | 1,600.00            |
| Lights, telephone, stamps and incidentals for Service Officer .....                                 | 540.00              |
| Travel for Service Officer inside county .....  | 300.00              |
| Travel and expenses for Service Officer outside county .....  | 300.00              |
| Rent for office of Service Officer .....  | 540.00              |
| Coroner's jurors @ \$2.00 per day .....   | 200.00              |

|   |              |
|---|--------------|
| County payment retirement fund .....                                  | 1,500.00     |
| Civil defense (county's part salaries and administration) .....       | 2,000.00     |
| Lee County Public Library Commission for books .....                  | 1,000.00     |
| Lee County Public Library Commission for miscellaneous expenses ..... | 900.00       |
| Salary, County Librarian .....  | 2,580.00     |
| Salary, Assistant County Librarian and book-mobile librarian .....    | 1,415.00     |
| Gas, oil, repairs, etc., library truck .....                          | 400.00       |
| Social Security .....   | 2,500.00     |
| Company "D" Third Battle Group, South Carolina National Guard .....   | 1,500.00     |
| Rural Fire Protection Commission .....                                | 2,000.00     |
| Lee County Industrial Planning Board .....                            | 2,000.00     |
| Rent, cotton platform @ \$65.00 per month ....                        | 780.00       |
| Miscellaneous repairs to public buildings .....                       | 500.00       |
| Lee County's contribution to Sumter Area T.E.C. ....                  | 4,000.00     |
| Total Item 7 .....  | \$ 47,460.00 |

## Item 8. Traveling Expenses:

|   |             |
|---|-------------|
| County Commissioners, seven @ \$330.00 each\$ | 2,310.00    |
| Coroner .....                                 | 240.00      |
| Auditor .....                                 | 360.00      |
| Treasurer .....                               | 360.00      |
| Clerk of Court .....                          | 240.00      |
| Total Item 8 .....                            | \$ 3,510.00 |

|                   |              |
|-------------------|--------------|
| GRAND TOTAL ..... | \$206,555.00 |
|-------------------|--------------|

## Less Estimated Indirect Revenue:

|                                  |             |
|----------------------------------|-------------|
| Commutation Road Tax .....       | \$ 2,600.00 |
| Gasoline Tax .....               | 59,000.00   |
| Income Tax .....                 | 24,500.00   |
| Beer, Wine and Whiskey Tax ..... | 22,000.00   |
| Fines and Costs .....            | 26,000.00   |
| Insurance Fees .....             | 6,300.00    |

|  |              |
|--|--------------|
| State Contribution to County Service Officer . . . | 3,900.00     |
| Other sources . . . . .                            | 8,000.00     |
| <hr/>  |              |
| Total . . . . .                                    | \$152,300.00 |
| <hr/>  |              |
| Amount to be raised by taxation . . . . .          | \$ 54,255.00 |

**SECTION 2.** The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed twelve mills, if so much be necessary, to raise the amount stated in this appropriation act to be raised by taxation.

**SECTION 3.** The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sums so appropriated shall not be an obligation of Lee County and be null and void.

**SECTION 4.** The funds appropriated for each and every purpose shall be used for that purpose only, and no part thereof shall be diverted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

**SECTION 5.** The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each weekday. They shall at all times keep an exact record of all sums paid on each and every appropriation of the county.

**SECTION 6.** The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall

be bought from local merchants on an impartial rotating basis, with no regard to factional affiliation. Gas, oil and grease shall be purchased from the five major distributors in Lee County on a monthly rotating basis. The superintendent of roads shall be scrupulously fair in the division of this business.

**SECTION 7.** All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

**SECTION 8.** The superintendent of roads shall use every care to keep the cost of operation of the chaing gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, county officials, or any other citizen.

**SECTION 9.** The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies and other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the appropriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for the purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people as it may deem proper.

**SECTION 10.** In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board

of commissioners is required to devote such part of his time as the county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided*, that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

**SECTION 11.** The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided*, however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

**SECTION 12.** The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by the board, the actual cost of extra food for meals of gang employees while on duty; *provided*, however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

**SECTION 13.** The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by the levy.

**SECTION 14.** The provisions of Section 20-32 of the 1962 Code, and acts amendatory thereto, so far as the same shall affect the payment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

**SECTION 15.** Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

**SECTION 16.** The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided*, such food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

**SECTION 17.** The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

**SECTION 18.** The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital Grounds.

**SECTION 19.** The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible;

and any officer or employee who shall contract for or spend in excess of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

**SECTION 20.** The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor, probate judge, clerk of court, and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

**SECTION 21.** The amounts herein listed for additional salary—County Agent, and additional salary-Assistant County Agent, are for the present County Agent and the present Assistant County Agent and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

**SECTION 22.** All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1962-1963, in excess of the amount necessary to pay appropriations for the fiscal year 1962-1963, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1963, shall be used to meet appropriations for the fiscal year 1963-1964, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1963-1964, in excess of the amount necessary to pay appropriations for the fiscal year 1963-1964, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

**SECTION 23.** Any and all unused balances in any and all accounts for the fiscal year 1962-1963 shall be automatically transferred to the contingent fund account for the fiscal year 1963-1964..

**SECTION 24.** The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for such purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

**SECTION 25.** The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

**SECTION 26.** The County Board of Commissioners of Lee County is hereby authorized to use, as they deem necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

**SECTION 27.** The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

**SECTION 28.** The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1962-1963, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

**SECTION 29.** Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

**SECTION 30.** The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of

the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation, and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

**SECTION 31.** The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files such quarterly report, as provided herein.

**SECTION 32.** The words "Lee County Legislative Delegation", as used in this act, mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

**SECTION 33.** No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

**SECTION 34.** The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect six mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee County Memorial Hospital account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of two thousand two hundred and fifty dollars per month. Any funds in excess of the above amount may be transferred to the General Fund by written order of the legislative delegation.

**SECTION 35.** Every officer and employee of every board, commission or department of Lee County and its school system shall pay

at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commissioners immediately after July 1, 1963, a statement of all past due taxes of every such officer or employee.

**SECTION 36.** The funds provided for uniforms for law enforcement officers shall be disbursed by the county treasurer only upon properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

**SECTION 37.** This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R16, H1018)

No. 599

**An Act To Ratify And Confirm Certain Deeds Heretofore Executed By The County Board Of Commissioners, Lexington County, Of Real Property Owned By Lexington County At The Time Of Conveyance.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lexington County deeds ratified.**—The deeds executed by the County Board of Commissioners, Lexington County, and recorded in the office of Clerk of Court for Lexington County, dated November 7, 1962, to Lexington Development Corporation, Incorporated, recorded November 13, 1962, in Deed Book "10-V", at page 180; and to the Town of Lexington, dated November 7, 1962, and recorded November 13, 1962, in Deed Book "10-V," at page 183, are hereby ratified and confirmed.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R145, H1320)

**No. 600****An Act Authorizing The Town Of Leesville In Lexington County To Borrow Twenty Thousand Dollars.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Leesville may borrow money.**—The governing body of the Town of Leesville in Lexington County is authorized to borrow twenty thousand dollars upon such terms and conditions as it may approve.

**SECTION 2. Payment.**—For the repayment of any money borrowed under the provisions of this act, the full faith, credit and taxing power of the municipality are irrevocably pledged.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R229, H1377)

**No. 601****An Act To Authorize The Lexington County Board Of Commissioners And The Treasurer Of Lexington County To Borrow A Sum Of Money For County Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 9. Lexington County may borrow money.**—The Lexington County Board of Commissioners and the Treasurer of Lexington County are hereby authorized to borrow for general county purposes not exceeding ninety-eight thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the chairman of the board and the treasurer of the county. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note or notes. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note or notes, the Auditor of Lexington County shall levy, and the Treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R354, H1656)

No. 602

**An Act To Authorize The Board Of Trustees Of The Batesburg-Leesville School District No. 3 Of Lexington And Saluda Counties To Borrow Twenty-five Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Batesburg-Leesville School District 3 may borrow money.**—The Board of Trustees of Batesburg-Leesville School District No. 3 of Lexington and Saluda Counties is authorized to borrow twenty-five thousand dollars, if so much be necessary, for making certain improvements to the high school gymnasium. The amount borrowed shall be evidenced by a note to be executed by a majority of the members of the board, including the chairman, shall bear interest at the best available rate, and shall be for such period of time as may be agreed upon. The borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditors shall levy, and the treasurers shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levies shall be applied to the payment of the note, inclusive of the interest in full, at which date the levies provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R395, H1650)

**No. 603**

**An Act To Authorize The Board Of Trustees Of Lexington County School District No. 2 To Borrow Not To Exceed Twenty-Five Thousand Dollars For School Building Construction And Site Improvements And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Lexington County School District 2 may borrow money.**—The Board of Trustees of Lexington County School District No. 2 may borrow for the purpose of constructing school buildings and improving school sites, not exceeding twenty-five thousand dollars at the lowest interest available for a period not to exceed six months. The amount borrowed shall be evidenced by a note to be executed by the chairman of the board.

**SECTION 2. Payment.**—If the note is not paid by the board of trustees of the school district upon its maturity, then the auditor of Lexington County shall levy and the treasurer shall collect a tax on all taxable property of the school district sufficient to retire the loan and interest due thereon and the entire proceeds of the levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R402, H1726)

**No. 604**

**A Joint Resolution To Create A Committee To Make A Study And Recommendations For Hospital Needs In Lexington County, And To Appropriate Funds Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Committee created to study hospital needs in Lexington County.**—There is hereby created a committee of eleven citizens of Lexington County to make a study and recommendations concerning the hospital needs in Lexington County. The committee shall be selected from the management, labor and professional fields. The members shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation. The appointees shall be recommended as follows: two from the West Columbia-Cayce Chamber of Commerce, two from the Lexington Chamber of Commerce, two from the Batesburg-Leesville Chamber of Commerce, one each from the Towns of Swansea, Chapin and Irmo, and two from the Community Club of Lexington County.

**SECTION 2. Meetings—officers.**—The first meeting of the committee shall be called by the Lexington County Legislative Delegation and at that time a chairman and such other officers as are deemed necessary shall be elected. Thereafter, the meetings shall be called by the chairman.

**SECTION 3. Report.**—The committee shall report its findings and recommendations to the legislative delegation by January 15, 1964.

**SECTION 4. Appropriation.**—The sum of one thousand dollars is hereby appropriated from the General Fund of the county for the expenses of the committee. The committee members shall be paid a per diem of ten dollars when attending a meeting. All claims for expenses shall be approved by the chairman.

**SECTION 5. Committee may obtain professional assistance.**—The committee is authorized to obtain professional assistance and

guidance as it deems necessary, subject to the approval of a majority of the legislative delegation.

**SECTION 6. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R433, H1789)

**No. 605**

**An Act To Authorize The Transfer Of Fourteen Thousand Dollars From The Bond Account Of School District No. 5 Of Lexington County To A Special Building Fund Account.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. School District 5 of Lexington County may transfer funds.**—The Treasurer of Lexington County is authorized, upon written application of the Trustees of School District No. 5, to transfer fourteen thousand dollars from the Bond Account of the School District to a Special Building Fund Account.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R453, H1790)

**No. 606**

**An Act To Authorize The Board Of Trustees Of School District No. 5 And The Treasurer Of Lexington County To Borrow Not Exceeding Thirty Thousand Dollars For School Purposes, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Lexington County School District 5 may borrow money.**—The Board of Trustees of School District No. 5 and the Treasurer of Lexington County are authorized to borrow thirty thousand dollars from the Division of Sinking Funds and Property or other sources for school construction and equipment. The amount borrowed shall be evidenced by a note to be executed by the chairman

of the board of trustees and the treasurer. The note shall bear interest not exceeding four per cent per annum from the date thereof and shall be payable in five successive, equal, annual installments. The first installment shall be paid twelve months from the date of the note; *provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual installment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should the money be borrowed from the Division of Sinking Funds and Property, and should there be default in the payment of any installment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such installment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R607, H1888)

No. 607

**An Act To Validate Certain Indebtedness Of Lexington County, To Make Provision For The Issuance Of Obligations Of Lexington County, To Effect The Payment Of Such Obligations, To Prescribe The Terms And Conditions Under Which Such Obligations Shall Be Disposed Of And To Make Provision For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of the General Assembly.**—The General Assembly finds that Lexington County has incurred indebtedness to

the State Sinking Fund Commission, on which there is now due approximately six hundred and four thousand dollars. Such indebtedness reflects monies borrowed by Lexington County which were applied to the following purposes:

1. The purchase of land and the constructing and equipping thereon of a county office building.
2. The purchase of road machinery for use in the construction and repair of county roads.
3. Casual deficits resulting from insufficient taxes to provide for ordinary county expenses.

It is anticipated that the State Sinking Fund Commission will accept payment of the sum due at any time and it has been determined that it would be desirable that the debt be funded over a period not to exceed ten years.

**SECTION 2. Board may borrow money.**—In order to provide monies required to meet the principal of the indebtedness of Lexington County to the State Sinking Fund Commission to the extent of not exceeding six hundred and four thousand dollars, which indebtedness is hereby validated and confirmed in all respects and is declared to be a general obligation of Lexington County for which the full faith, credit and taxing power of the county is unconditionally obligated, the County Board of Commissioners of Lexington County as constituted by Article 2, Chapter 48, Title 14, of the 1962 Code, (the county board) is hereby authorized and empowered to borrow such sum not exceeding six hundred and four thousand dollars as shall be required to pay in full the indebtedness of Lexington County to the State Sinking Fund Commission.

**SECTION 2. Sale of notes or bonds.**—The sum so borrowed may be evidenced in the form of notes or bonds and may be sold and disposed of by the county board at public or private sale, and on such terms and conditions as the county board shall determine.

**SECTION 4. Issue.**—The obligations authorized by this act shall be issued as a single issue.

**SECTION 5. Maturity—dates.**—The obligations authorized by this act shall be in such form and tenor, and in such denominations and shall mature in such annual series or installments as the county board shall provide for, except that the last maturing obligation shall mature not later than ten years from the date as of which it shall be issued.

**SECTION 6. Redemption.**—The obligations issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no obligations issued pursuant to this act shall be redeemable before its maturity unless it contains a statement to that effect. If the obligations are made subject to redemption, provision shall be made in the proceedings authorizing such redemption, specifying the manner of call and the notice thereof that must be given.

**SECTION 7. Place of payment.**—The obligations issued pursuant to this act shall be made payable at such place or places, within or without the State, as the County Board shall provide.

**SECTION 8. Interest.**—Obligations issued pursuant to this act shall bear interest at rates determined by the County Board.

**SECTION 9. Execution.**—The obligations issued pursuant to this act, and the coupons (if any) to be thereunto attached, shall be executed in such manner as the County Board shall by resolution provide.

**SECTION 10. Sale.**—The obligations issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries.

**SECTION 11. Payment.**—For the payment of the principal and interest of all obligations issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Lexington County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Lexington County, and collected by the Treasurer of Lexington County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Lexington County, sufficient to pay the principal and interest of such obligations as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any obligation issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

**SECTION 13. Use of proceeds.**—The proceeds derived from the sale of obligations issued pursuant to this act shall be paid to the

Treasurer of Lexington County, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such obligations.

(b) Any premium shall be applied to the payment of the first installment of principal of such obligations.

(c) The remaining proceeds shall be used on the warrant of the County Board to pay in full the principal of the indebtedness of Lexington County to the State Sinking Fund Commission; *provided*, that the purchasers thereof shall in no way be responsible for the proper application of the proceeds.

**SECTION 14. Powers of board.**—The powers and authorizations hereby conferred upon the County Board shall be in addition to all other powers and authorizations previously vested therein, and may be exercised by the County Board at any regular or special meeting through the adoption of a resolution or resolutions to take effect immediately upon their adoption.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R636, H1845)

**No. 608**

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1963, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** There is hereby levied from July 1, 1963 through June 30, 1964, a tax of seven mills, or an additional amount if necessary, on all taxable property in Lexington County for county purposes which, together with all further sums available for such purposes, shall be used for the payment of the items hereinafter set forth; *provided*, that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board, and the total of such items, other than salaries, shall be expended only as so much be necessary.

## Item 1. Administrative Department:

## A. County Auditor:

|  |             |
|--|-------------|
| 1. County Auditor (county's part) salary . . . . . | \$ 2,865.45 |
| 2. Deputy Clerk to County Auditor . . . . .        | 3,789.50    |
| 3. First Clerk to County Auditor . . . . .         | 3,083.30    |
| 4. Second Clerk to County Auditor . . . . .        | 2,772.00    |
| 5. Third Clerk to County Auditor . . . . .         | 2,510.00    |
| 6. Permit Clerk . . . . .                          | 2,310.00    |
| 7. Travel, County Auditor . . . . .                | 600.00      |

*Provided*, that the Auditor go to each town in the County for the purpose of taking tax assessments.

## B. Clerk of Court:

|   |          |
|---|----------|
| 1. Clerk of Court, salary . . . . .         | 6,713.45 |
| 2. Deputy Clerk of Court . . . . .          | 4,260.30 |
| 3. First Clerk to Clerk of Court . . . . .  | 3,000.00 |
| 4. Second Clerk to Clerk of Court . . . . . | 2,510.00 |
| 5. Third Clerk to Clerk of Court . . . . .  | 2,410.00 |
| 6. Fourth Clerk to Clerk of Court . . . . . | 2,310.00 |
| 7. Part-time clerical assistant . . . . .   | 2,000.00 |

*Provided*, that the balance remaining in Item 7 from prior appropriations shall be carried forward to the 1963-64 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.

## C. County Treasurer:

|  |          |
|--|----------|
| 1. County Treasurer (county's part) salary . . . . . | 2,865.45 |
| 2. Deputy County Treasurer . . . . .                 | 3,789.50 |
| 3. First Clerk to County Treasurer (tax) . . . . .   | 3,201.00 |
| 4. Second Clerk to County Treasurer (fee) . . . . .  | 3,201.00 |
| 5. Part-time clerical assistance . . . . .           | 2,400.00 |

*Provided*, that the Treasurer shall furnish the Commissioners a monthly report of all paid claims issued by the Commissioners.

## D. Board of Commissioners:

|  |          |
|--|----------|
| 1. Commissioners' salaries, four at \$1,850.00 . . . . . | 7,400.00 |
| 2. Clerk to County Commissioners, salary . . . . .       | 4,472.60 |
| 3. Assistant Clerk to County Commissioners . . . . .     | 2,530.00 |

4. Travel, County Commissioners, three at \$900.00,  
Chairman at \$1,200.00 ..... 3,900.00

Item 2. Judicial Department:

- A. Jurors, witnesses and bailiffs .....\$ 18,000.00

*Provided*, that all court attaches, petit jurors and jurors of the court of general sessions and the court of common pleas shall be paid at the rate of seven dollars per diem. *Provided*, further, that the court crier and chief bailiff shall be paid at the rate of eleven dollars per diem. *Provided*, further, that all jurors shall be paid mileage at the rate of five cents per mile per day in traveling to and from court.

B. Probate Court:

1. Probate Judge, salary ..... 6,713.45  
2. First Clerk to Probate Judge ..... 3,083.30  
3. Second Clerk to Probate Judge ..... 2,510.00

*Provided*, that the salary of the Probate Judge shall be in lieu of all fees, which fees shall be paid to the general fund of the county.

C. Juvenile-Domestic Relations Court:

1. Judge's salary ..... 7,902.30  
2. Probation Officer ..... 4,800.00  
3. Clerk-Stenographer ..... 3,289.00  
4. Travel for probation officer ..... 1,200.00

D. Salaries of Magistrates:

- District No. 1 ..... 3,190.00  
District No. 2 ..... 2,640.00  
District No. 3 ..... 2,640.00  
District No. 4 ..... 2,640.00  
District No. 5 ..... 2,860.00  
District No. 6 ..... 2,860.00

*Provided*, that during week days, each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.

E. Salaries of Magistrates' Constables:

- District No. 1 ..... 3,590.40  
District No. 2, Salary 3,590.40,  
Travel \$800.00 ..... 4,390.40

|                      |          |
|----------------------|----------|
| District No. 3 ..... | 3,590.40 |
| District No. 4 ..... | 3,300.00 |
| District No. 5 ..... | 3,590.40 |
| District No. 6 ..... | 3,590.40 |

*Provided*, that the Constable of District 2 shall be employed full time and be equipped with a car radio and shall police and patrol the district, including the area within the limits of the Towns of Chapin and Irmo, under the direction and control of the Sheriff's office when not otherwise engaged in official business attendant to the office of Magistrate.

*Provided*, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the school for officers.

F. Coroner:

|                                 |          |
|---------------------------------|----------|
| 1. Coroner's Salary .....       | 1,980.00 |
| 2. Coroner's Travel .....       | 800.00   |
| 3. Post Mortems, Inquests ..... | 1,200.00 |
| 4. Lunacy .....                 | 400.00   |

Item 3. Law Enforcement:

A. Office of Sheriff:

|                         |             |
|-------------------------|-------------|
| 1. Salary .....         | \$ 6,713.45 |
| 2. Travel Expense ..... | 1,200.00    |

B. Deputy Sheriffs:

|   |           |
|---|-----------|
| 1. Salary of Deputy Sheriffs, eight at \$4,354.90 each per annum and one chief deputy at \$4,593.60 ..... | 39,432.80 |
| 2. Travel expense, nine at \$1,200.00 per annum ..  | 10,800.00 |
| 3. (a) Purchase of gasoline and oil .....   | 12,000.00 |
| (b) Service of Radio Agreement .....  | 2,000.00  |
| (c) Repairs to Radio .....  | 1,000.00  |
| 4. Uniforms for Deputy Sheriffs .....   | 1,350.00  |

*Provided*, that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.

*Provided*, that sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for travel expense in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and insane persons, the same being in the regular line of duty.

*Provided*, further, to be eligible to receive the salaries herein provided all Deputy Sheriffs must within one year after his or their appointment be graduated from the Law Enforcement School for Officers.

C. Jail:

|                        |           |
|------------------------|-----------|
| 1. Jail expenses ..... | 15,000.00 |
| 2. Jailor .....        | 2,589.40  |
| 3. Jailor .....        | 2,589.40  |
| 4. Jailor .....        | 2,589.40  |

D. Office of Tax Collector:

|   |          |
|---|----------|
| 1. Salary of Deputy Tax Collector ..... | 3,083.30 |
| 2. Clerical Assistance .....            | 2,310.00 |

Item 4. Public Works, Roads and Bridges:

A. District salaries of employees and maintenance expenses:

|                      |              |
|----------------------|--------------|
| District No. 1 ..... | \$ 49,500.00 |
| District No. 2 ..... | 47,000.00    |
| District No. 3 ..... | 47,000.00    |
| District No. 4 ..... | 27,000.00    |

B. Depreciation reserve for purchase of new machinery .....

65,000.00

*Provided*, that Item A shall be expended only upon approval of a majority of the Board of Commissioners.

*Provided*, further, that Item B shall be expended only for needed machinery and only upon approval in writing of a majority of the County Board of Commissioners in meeting assembled and any balance remaining shall be carried forward to the next fiscal year.

*Provided*, further, the Board of Commissioners shall be responsible for furnishing labor for janitorial services for the County Courthouse and Memorial Office Building.

*Provided*, further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1964.

Item 5. Social Welfare:

- A. Supplemental salary for members of Lexington County Public Welfare Board to be paid semi-annually .....\$ 726.00

*Provided*, that the members of the board shall be paid semi-annually.

- B. Approved emergency and charity relief ..... 38,000.00

*Provided*, that claims for the care of medically indigent persons by eleemosynary institutions shall be equitably discharged from the amount above appropriated.

- C. Payment on Rest Home @ \$1,000.00 per month 12,000.00

- D. Lexington County Health Department ..... 43,387.20

Item 6. Courthouse and Offices:

- A. Insurance .....\$ 3,000.00

- B. Telephone ..... 7,500.00

- C. Water, lights and fuel ..... 12,000.00

- D. Maintenance Engineer and Purchasing Agent . 4,800.00

1. Clerk-Purchasing Agent and Delegation ..... 2,400.00

2. Cleaning and Toilet Supplies ..... 5,500.00

3. Buildings:

- (a) Permanent Improvements ..... 4,000.00

- (b) Repairs and Maintenance ..... 3,000.00

4. Equipment Repairs and Maintenance ..... 1,000.00

|   |             |
|---|-------------|
| 5. New Equipment (Office) .....   | 4,500.00    |
| (a) Machine Service Contracts .....   | 1,600.00    |
| E. Premium on bonds for county officials .....  | 1,500.00    |
| F. Workmen's Compensation Insurance (not to be<br>spent if paid for by State) .....   | 3,000.00    |
| G. Printing, stamps and stationery for county offices   | 25,000.00   |
| H. Janitor of County Buildings (Health Center) .  | 2,228.60    |
| 1. Travel to health centers, to be paid monthly ...   | 480.00      |
| I. Board of Equalization .....  | 3,600.00    |
| <i>Provided</i> , that this shall be expended only upon<br>approval of a majority of the legislative delega-<br>tion.   |             |
| J. Board of Registration .....  | 2,640.00    |
| <i>Provided</i> , that not more than one-fourth of the<br>amount appropriated shall be expended without<br>approval of a majority of the legislative dele-<br>gation. |             |
| K. Supplemental Travel to County Agent .....  | 360.00      |
| 1. Salary to Assistant County Agent .....   | 300.00      |
| 2. Clerk to County Agent Supplement .....   | 600.00      |
| L. Supplemental salary to Home Demonstration<br>Agent .....   | 360.00      |
| 1. Clerk to Demonstration Agent Supplement ...  | 600.00      |
| M. Secretary to County Service Officer .....  | 2,730.20    |
| N. Renovation of Courthouse Basement .....  | 20,000.00   |
| Item 7. County Board of Education:  |             |
| There shall be paid through the office of the<br>County Superintendent of Education the follow-<br>ing:   |             |
| A. Salary and travel for County Board of Educa-<br>tion .....   | \$ 1,000.00 |
| B. Supplement salary, Superintendent of Educa-<br>tion .....  | 1,946.70    |
| 1. Travel for Superintendent of Education .....   | 200.00      |
| C. Clerk to Superintendent of Education .....   | 3,600.40    |
| 1. Part-time Clerical Assistance .....  | 1,200.00    |
| D. Supplement salary and travel, attendance teacher   | 1,123.50    |

- E. Circulating Library Fund ..... 36,416.00
- F. Publication of county educational directory ..... 700.00
- Provided*, that the funds appropriated under Item 7 shall be approved and disbursed by the County Board of Education.
- Provided*, further, that any balance remaining in Item 7, Section E, from prior appropriations shall be carried forward to the 1963-1964 fiscal year and that that balance shall be added to the appropriation herein made and disbursed accordingly.
- Item 8. County Attorney ..... \$ 1,531.20
- Provided*, that the county attorney shall be elected by a majority vote of the County Board of Commissioners of Lexington County and he shall be paid a retainer's fee of one hundred twenty-seven and 60/100 dollars per month out of the above appropriation and by being so retained he shall be available to any and all county officials at any time they need his legal advice.
- Provided*, however, for extra work done, such as preparing pleadings, making appearances in court and trying cases, he shall be paid additional fees for such extra services in line with fees charged by members of the Bar of Lexington County for similar services.
- Item 9. Miscellaneous:
- A. Miscellaneous Contingent ..... \$ 75,000.00
- Provided*, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority of the county legislative delegation, including the Senator, and upon such approval the Board of Commissioners and the clerk of the board are hereby authorized to issue vouchers for same, *provided*, however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of

the Board of County Commissioners; *provided*, further that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

|  |                     |
|--|---------------------|
| B. 4-H Boys' Club .....  | 150.00              |
| C. 4-H Girls' Club .....   | 150.00              |
| D. Future Farmers of America (White Chapter) .   | 250.00              |
| E. Women's Home Demonstration Camp .....   | 75.00               |
| F. Demonstration Supplies for Home Agent ....  | 100.00              |
| G. Lexington County T.B. Association .....   | 1,000.00            |
| H. Batesburg-Leesville National Guard Unit ....  | 800.00              |
| I. West Columbia National Guard, two units at<br>\$800.00 .....                                  | 1,600.00            |
| J. Lexington National Guard Unit .....   | 800.00              |
| K. Lexington County Supervisors, Lexington Soil<br>Conservation District, Lexington County ..... | 500.00              |
| 1. Soil and Water Conservation Assist. ....  | 1,200.00            |
| L. West Columbia Rescue Squad .....  | 200.00              |
| M. Swansea Rescue Squad .....  | 200.00              |
| N. Leesville Rescue Squad .....  | 200.00              |
| O. American Legion Junior Baseball Program ...   | 500.00              |
| P. West Columbia-Cayce, Lexington and Bates-<br>burg-Leesville Chamber of Commerce @ \$750.00    | 2,250.00            |
| Q. Cooperative Breeder's Association .....   | 1,500.00            |
| R. Armory Equipment .....  | 3,056.74            |
| <b>TOTAL</b> .....   | <b>\$847,872.89</b> |

**SECTION 2.** All salaries as fixed in this act shall be in lieu of any and all fees and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of the county official or employee to be reduced accordingly; *provided*, however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

**SECTION 3.** Funds appropriated herein shall be expended according to the following provisions:

(a) That the legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and that the county commissioners and the county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) That the withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary county funds, provided this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) That the county commissioners are hereby required to keep a separate account covering the various items of the appropriations act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send a statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1963, and June 30, 1964.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed one hundred thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

**SECTION 4.** All appropriations herein made are subject to the right and authority of the legislative delegation in the General Assembly to alter, increase, deduct therefrom, or transfer funds from

one account to another at any time without notice when, in their judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and to conform with the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1964, shall revert to the county ordinary account. *Provided*, that all active members of the National Guard Companies of West Columbia and Batesburg-Leesville and Lexington shall be exempt from payment of road tax in Lexington County during the fiscal year.

**SECTION 5.** All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners. Salaries of all chaingang employees shall be under the control of the Lexington County Board of Commissioners.

**SECTION 6.** The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum or sums to match other available funds for the retirement of all county officials or employees as is now provided by law under the Retirement Act and the Social Security Act.

**SECTION 7.** All expenditures and transfers of funds by the county commissioners and the county treasurer, as heretofore authorized by the Legislative Delegation in the General Assembly from Lexington County, are hereby validated and approved for the past and present fiscal year.

**SECTION 8.** In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary, shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employees, by a majority of the Lexington County Legislative Delegation.

**SECTION 9.** (a) There is hereby established in Lexington County the office of County Purchasing Agent who shall be responsible for the purchase of all items as needed and necessary for the operation of county business. All items purchased by funds appropriated here-

under shall first be requisitioned by the several departments from the County Purchasing Agent on the forms to be supplied to the several departments by the County Purchasing Agent.

(b) Purchases for all county agencies and subdivisions, except food for prisoners, shall be made through the county purchasing agent, which agent shall, where feasible, utilize the supplies available through the State purchasing agent on State bid prices.

(c) No expenditures in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, the purchase shall be made from the person, firm or corporation submitting the low bid. *Provided*, further, that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

**SECTION 10.** The Juvenile and Domestic Relations Court of Lexington County shall charge three per cent of all monies collected and disbursed by the court to be accounted and deposited with the Lexington County Treasurer monthly.

**SECTION 11.** The Lexington County Auditor is authorized from year to year to assess the necessary millage on all taxable property in Lexington County for the purpose of establishing a note retirement account and that the millage so determined shall be set aside for retirement of note indebtedness of Lexington County, and the auditor shall reduce the millage as he deems necessary to meet the note indebtedness on an annual basis.

**SECTION 12.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

**An Act Authorizing And Directing The Treasurer Of McCormick County To Transfer Five Thousand Dollars From The General Fund Of The County To The Miscellaneous And Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. McCormick County to transfer funds.**—The Treasurer of McCormick County is authorized and directed to transfer five thousand dollars from the general fund of the county to the miscellaneous and contingent fund.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 8th day of March, 1963.

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(R462, H1647)

**No. 610**

**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And Providing For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1963, and ending June 30, 1964.

Item A. For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards .....\$ 25,000.00

*Provided*, that the Supervisor or County Board of Commissioners shall employ no other help than provided for herein unless authorized by the county delegation.

Office Clerk ..... 2,420.00

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Total, Item A .....\$ 27,420.00

Item B. Salaries :

Clerk of Court .....\$ 3,993.00

*Provided*, however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the

Acts of 1936 at pages 1449 and 1450 before  
he shall be entitled to such salary.

|   |          |
|---|----------|
| Clerk to Clerk of Court .....                                 | 2,420.00 |
| Treasurer .....   | 847.00   |
| Clerk to Treasurer .....                                      | 2,420.00 |
| Auditor .....   | 847.00   |
| Clerk to Auditor (12 Mos.) .....                              | 2,420.00 |
| Coroner .....   | 399.30   |
| County Physician .....  | 133.10   |
| Janitor at courthouse .....                                   | 1,452.00 |
| Two County Commissioners at \$399.30 each ..                  | 798.60   |
| Judge of Probate .....  | 1,996.50 |
| County Attorney .....   | 399.30   |
| Magistrate at McCormick .....                                 | 1,996.50 |
| Magistrate at Willington .....                                | 907.50   |
| Magistrate at Parksville .....                                | 907.50   |
| Janitor, McCormick County Office Building ..                  | 1,452.00 |
| Sheriff, salary .....   | 4,040.00 |
| Two deputy sheriffs salary each \$2,970.00 ....               | 5,940.00 |
| Two deputy sheriffs, expense fund \$797.00 each               | 1,594.00 |
| Two deputy sheriffs, uniform allowance \$250.00<br>each ..... | 500.00   |

*Provided*, the amount to be paid in equal monthly payments without the necessity of itemizing the same.

|                    |          |
|--------------------|----------|
| Night Jailer ..... | 2,400.00 |
|--------------------|----------|

*Provided*, that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies, to be designated by the sheriff, shall also serve as magistrates' constable.

|   |          |
|---|----------|
| Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary ....   | 2,400.00 |
| Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, the amount to be paid in equal monthly payments without the necessity of itemizing same ..... | 4,082.00 |
| Tax Collector .....   | 1,180.00 |
| Tax Collector's expenses, who shall furnish his own car, to be paid in equal monthly payments .   | 1,800.00 |

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Total, Item B ..... \$ 47,325.30

## Item C. County:

|                                    |    |        |
|------------------------------------|----|--------|
| County Board of Equalization ..... | \$ | 750.00 |
| Vital Statistics .....             |    | 100.00 |

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|                     |    |        |
|---------------------|----|--------|
| Total, Item C ..... | \$ | 850.00 |
|---------------------|----|--------|

## Item D. Jail Expenses:

To include only the dieting of prisoners at \$1.25 per day, electric current and repairs, if so much be necessary .....

|  |    |          |
|--|----|----------|
|  | \$ | 1,500.00 |
|--|----|----------|

*Provided*, records of prisoners' entrance and release shall be kept and such records shall be subject to annual audit.

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|                     |    |          |
|---------------------|----|----------|
| Total, Item D ..... | \$ | 1,500.00 |
|---------------------|----|----------|

## Item E. Jurors and witnesses and court expenses:

*Provided*, that grand jurors and petit jurors shall be paid at the rate of seven dollars and fifty cents per day and mileage. *Provided*, further, that magistrates' and coroner's jurors shall be paid at the rate of one dollar and fifty cents per day upon the authorization of the magistrate or coroner .....

|  |    |          |
|--|----|----------|
|  | \$ | 3,500.00 |
|--|----|----------|

*Provided*, further, the taking of testimony in magistrate's court and coroner's inquests shall be paid from this fund upon the authorization of the magistrate or coroner.

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|                     |    |          |
|---------------------|----|----------|
| Total, Item E ..... | \$ | 3,500.00 |
|---------------------|----|----------|

## Item F. Post mortems, inquests, autopsies and lunacies, if so much be necessary .....

|  |    |        |
|--|----|--------|
|  | \$ | 500.00 |
|--|----|--------|

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|                     |    |        |
|---------------------|----|--------|
| Total, Item F ..... | \$ | 500.00 |
|---------------------|----|--------|

## Item G. Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of public buildings which shall be approved by the McCormick Building Commission, and cost shall be paid from such amount as the commission and county delegation shall designate ..

|  |    |          |
|--|----|----------|
|  | \$ | 9,000.00 |
|--|----|----------|

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|                     |    |          |
|---------------------|----|----------|
| Total, Item G ..... | \$ | 9,000.00 |
|---------------------|----|----------|

|  |              |
|--|--------------|
| Item H. Printing, postage, stationery and office supplies  | \$ 3,000.00  |
| Total, Item H  | \$ 3,000.00  |
| Item I. Annual audit to county books from June 30, 1962, to July 1, 1963, if so much be necessary  | \$ 600.00    |
| Total, Item I  | \$ 600.00    |
| Item J. Premiums on officers' bonds and workmen's compensation premiums, when such premiums are certified to and in order, if so much be necessary       | \$ 1,000.00  |
| Total, Item J  | \$ 1,000.00  |
| Item K. Miscellaneous Contingent Fund:<br>To be expended only in case of emergency and only then upon the written approval of the legislative delegation | \$ 50,000.00 |
| Total, Item K  | \$ 50,000.00 |
| Item L. County Health Unit, if so much be necessary  | \$ 2,700.00  |
| Total, Item L  | \$ 2,700.00  |
| Item M. Public Welfare<br><i>Provided</i> , such funds shall be kept separate to facilitate annual audit.  | \$ 5,000.00  |
| Total, Item M  | \$ 5,000.00  |
| Item N. Library Board<br><i>Provided</i> , that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.           | \$ 1,200.00  |
| Total Item N   | \$ 1,200.00  |
| Item O. Police Insurance   | \$ 1,200.00  |
| Total, Item O  | \$ 1,200.00  |
| Item P. Retirement (County's part)   | \$ 1,520.00  |
| Total, Item P  | \$ 1,520.00  |

|  |              |
|--|--------------|
| Item Q. Social Security (County's part) .....  | \$ 1,840.00  |
| Total, Item Q .....  | \$ 1,840.00  |
| Item R. National Guard .....   | \$ 800.00    |
| Total, Item R .....  | \$ 800.00    |
| Item S. Soil Conservation .....  | \$ 300.00    |
| Total, Item S .....  | \$ 300.00    |
| Item T. County Board of Education .....  | \$ 1,700.00  |
| Total, Item T .....  | \$ 1,700.00  |
| Item U. Special Accounts:  |              |
| Farm Agent Account .....   | \$ 50.00     |
| Home Agent Account .....   | 50.00        |
| Clerk to Home Agent Account .....  | 250.00       |
| Custodian at County Office Building .....  | 435.60       |
| McCormick County FFA Chapter .....   | 100.00       |
| McCormick School Trustees, for building additional room at Plum Branch School, if so much be necessary ..... | 8,500.00     |
| Mental Health Program .....  | 1,231.39     |
| McCormick Fire Warden, expenses, to be paid monthly .....  | 240.00       |
| Total, Item U .....  | \$ 10,856.99 |
| GRAND TOTAL .....  | \$171,812.29 |
| Less revenue other than taxes:   |              |
| U. S. Forestry Service .....   | \$ 35,000.00 |
| Gas Tax .....  | 35,000.00    |
| Other Revenues .....   | 101,812.29   |
| Total Estimated Revenue .....  | \$171,812.29 |

**SECTION 1A.** Should the estimated revenue be insufficient to meet the appropriations hereinabove made, the county treasurer shall transfer from the general funds of the county a sufficient amount to take care of any deficit.

**SECTION 2.** The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided*, that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to exceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

**SECTION 3.** The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1963 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided*, that the county commissioners shall have equal authority in county matters with the supervisor.

**SECTION 4.** The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax, as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1963. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

**SECTION 5.** No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes sufficient to pay the same makes it necessary, and no note in excess

of the sum provided by law shall be made by the county commissioners except upon the written authority of the county legislative delegation, which shall be filed with the clerk of court.

**SECTION 6.** The McCormick County Legislative Delegation is hereby authorized and empowered to pay to the members of the forestry committee or any other members of a committee authorized by legislation, meeting during the year 1963, the sum of five dollars per day from the contingent fund under Item K. *Provided*, however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1963-1964.

**SECTION 7.** The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County, or as to the law pertaining to any matter connected with the administration of such office.

**SECTION 8.** The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health conditions of the county and attend any prisoner, either on the chain gang or in the county jail, and make such recommendations as he might think proper for the safeguarding of the prisoners of the communities of the county.

**SECTION 9.** The McCormick County Legislative Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided*, that no equipment owned by McCormick County shall be used for anything but county or public purposes.

**SECTION 10.** No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

**SECTION 11.** Unless otherwise specifically authorized herein, no bill or claim against McCormick County shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents and carries the same number as the county voucher, in ad-

dition to the amount and the time furnished, and no person shall make oath to such itemized statement or claim for any other person.

**SECTION 12.** All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

**SECTION 13.** No officer of McCormick County shall charge or collect any money for an expense account except as herein provided.

**SECTION 14.** Any officer or employee of McCormick County who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

**SECTION 15.** The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon each week provided the majority of the merchants in the Town of McCormick close their place of business one afternoon each week, and the afternoons taken off by the courthouse officials shall be the same afternoon on which the business houses are closed. The officials of McCormick County are further authorized to close their offices on all legal State holidays.

**SECTION 16.** For the year 1963 the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

**SECTION 17.** Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer, for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

**SECTION 18.** From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided*, that the county board of education is hereby authorized to

pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

**SECTION 19.** Custodian of the McCormick County Office Building and grounds shall be designated by the McCormick County Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

**SECTION 20.** The county auditor shall levy and the county treasurer shall collect a tax for the fiscal year 1963-1964 of twenty-three mills for school purposes. The board of trustees shall present to the county board of education a proposed budget for the fiscal year 1964-1965 on or before March 1, 1964 and by April 1, 1964, the county board of education shall approve, decrease or increase the budget as it may deem necessary. The board of trustees may, with the approval of the county board of education, spend such other necessary funds as are available for school purposes with the written approval of the county board of education.

**SECTION 21.** Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county legislative delegation.

**SECTION 22.** This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R439, H1648)

**No. 611**

**An Act To Authorize The County Board Of Commissioners Of Marion County To Sell And Convey Certain Property.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Marion County may sell certain property.**—The County Board of Commissioners of Marion County is hereby authorized to sell and convey upon such terms and conditions as may be agreed upon by the board, the following described property:

(1) All that certain lot of land situate in the County of Marion, State of South Carolina, containing one-third of an acre, more or

less, bounded northwest by U.S. Highway No. 76 which leads from Marion to Mullins, northeast by land now or formerly of L. Altman, and southeast and southwest by land of Nash and Garrett.

(2) All that certain lot of land situate in the City of Mullins, County of Marion, State of South Carolina, measuring seventy feet on its north and south sides, respectively, and ninety feet on its east and west sides, respectively, bounded north and east by land formerly of W. P. Clark, south by the lot hereinafter described and lot of H. L. Holt and west by Park Street; also all that certain lot of land situate in the City of Mullins, County and State aforesaid, measuring ten feet on its north and south sides, respectively, and sixty feet on its east and west sides respectively, and bounded north by the lot hereinabove described, east by land formerly of W. P. Clark, south by Lauren Street and west by lot of H. L. Holt. The two lots described in item 2 shall be sold together.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R682, H1816)

**No. 612**

**An Act To Make Appropriations For Ordinary County Purposes For Marion County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1963 upon the taxable property of Marion County for county purposes; for the fiscal year beginning July 1, 1963, and ending June 30, 1964, in the amount and for the purposes hereinafter stated.

**SECTION 2.** The county auditor is hereby directed to make a calculation of the amount of levy that will be necessary to raise the sums

appropriated in this act, first taking into account the probable income from all other sources; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided*, that the levy shall be made only upon the written approval of a majority of the legislative delegation.

**SECTION 3.** The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning July 1, 1963, and ending June 30, 1964, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. Salaries:

|  |             |
|--|-------------|
| A. Clerk of Court .....  | \$ 1,250.00 |
| B. Sheriff .....   | 4,000.00    |
| B-1. Four Deputy Sheriffs @ \$2,860.00 each .....  | 11,440.00   |
| <i>Provided</i> , that the Sheriff may designate one of the Deputy Sheriffs as "Chief Deputy" to be left in charge in the absence or incapacity of the Sheriff, and the Chief Deputy shall draw an additional salary of .....        |             |
|  | 180.00      |
| B-2. Investigating fund to be used by Marion County Sheriff .....  | 600.00      |
| B-3. Travel and other expenses, Sheriff and four Deputies @ \$2,000 each .....   | 10,000.00   |
| B-4. Gas and oil—Sheriff's office, \$205.00 per month .....  | 2,460.00    |
| <i>Provided</i> , that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of \$41.00 per month for each deputy and himself for gas and oil.                                     |             |
| B-5. Steno-Clerk and radio dispatcher for Sheriff's office .....   | 2,400.00    |
| <i>Provided</i> , however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation. |             |
| C. Jailer .....  | 2,500.00    |
| D. Magistrate at Marion .....  | 2,250.00    |
| D-1. Rent—Magistrate at Marion .....   | 180.00      |
| E. Magistrate at Mullins .....   | 2,250.00    |

|         |   |              |
|---------|---|--------------|
| F.      | Magistrate at Centenary-Rains .....   | 650.00       |
| F-1.    | Magistrate's Constable at Centenary-Rains ...   | 1,850.00     |
| G.      | Magistrate at Britton's Neck Township .....   | 650.00       |
| G-1.    | Magistrate's Constable at Britton's Neck Town-<br>ship .....  | 1,850.00     |
| H.      | Magistrate at Nichols .....   | 650.00       |
| H-1.    | Rent—Magistrate at Nichols .....  | 180.00       |
| I.      | Treasurer .....   | 2,326.89     |
| J.      | Assistant Treasurer .....   | 3,600.00     |
|         | <i>Provided, that the Treasurer of Marion County<br/>is authorized to continue the employment of<br/>Mrs. Clara Allen regardless of retirement age.</i> |              |
| K.      | Auditor .....   | 2,326.89     |
| L.      | Deputy Auditor .....  | 3,600.00     |
| M.      | Extra Clerical Help, Auditor & Treasurer .....  | 2,400.00     |
| N.      | Coroner .....   | 1,000.00     |
| N-1.    | Travel and other expenses—Coroner .....   | 700.00       |
| O.      | Chairman of County Board of Commissioners .....   | 7,500.00     |
| P.      | Six County Commissioners @ \$400.00 each for<br>travel and official expenses .....  | 2,400.00     |
| Q.      | One Clerk to Commissioners .....  | 2,800.00     |
| R.      | Tax Collector .....   | 1,200.00     |
| S.      | Deputy Tax Collector .....  | 1,200.00     |
| T.      | Clerk for Tax Collector and Deputy Tax Col-<br>lector .....   | 2,400.00     |
| U.      | Superintendent of Education .....   | 1,200.00     |
|         | Total, Item 1 .....   | \$ 79,993.78 |
| Item 2. | County Board:   |              |
| A.      | Board of Education—Seven members @ \$400-<br>.00 each for travel and official expenses .....  | 2,800.00     |
| B.      | One Clerk to Superintendent of Education ...  | 2,400.00     |
| C.      | Board of Equalization .....   | 2,500.00     |
|         | Total, Item 2 .....   | \$ 7,700.00  |
| Item 3. | Post Mortems and Lunacies .....   | \$ 400.00    |
|         | Total, Item 3 .....   | \$ 400.00    |
| Item 4. | Welfare Department:   |              |
| A.      | Emergency Relief .....  | \$ 3,000.00  |
| B.      | Charity Hospitalization .....   | 3,000.00     |

|   |              |
|---|--------------|
| C. Chairman—Public Welfare Board .....  | 300.00       |
| D. Pauper Funerals .....  | 1,200.00     |
| <i>Provided</i> , that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county. <i>Provided</i> , further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.  |              |
| <i>Provided</i> , further, that the Marion County Welfare Board shall make all necessary investigations. <i>Provided</i> , further, that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars. <i>Provided</i> , further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available. |              |
| Total, Item 4 .....   | \$ 7,500.00  |
| Item 5. Jurors and Witnesses .....  | \$ 10,000.00 |
| <i>Provided</i> , that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars).  |              |
| <i>Provided</i> , further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Courts shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.   |              |
| Total, Item 5 .....   | \$ 10,000.00 |
| Item 6. Public Buildings:   |              |
| A. Public Buildings, including lights, water, grounds, office rent, etc. ....   | \$ 14,000.00 |
| B. Improvements for county chain gang .....   | 15,000.00    |
| Total, Item 6 .....   | \$ 29,000.00 |
| Item 7. Vital Statistics—Travel and filing of certificates ..   | \$ 550.00    |
| Total, Item 7 .....   | \$ 550.00    |

|   |              |
|---|--------------|
| Item 8. Ordinary Contingent .....   | \$ 45,000.00 |
| Total, Item 8 .....   | \$ 45,000.00 |
| Item 9. A. Roads, bridges, chain gang, maintenance,<br>dieting, clothing, medical and medicine for pris-<br>oners on chain gang ..... | \$ 30,000.00 |
| <i>Provided, however, that the total amount of gas-<br/>oline tax allocated to Marion County be put in<br/>this item.</i>             |              |
| B. Marion County Jail—water, lights, etc. for pris-<br>oners while in jail .....  | 6,500.00     |
| Total, Item 9 .....   | \$ 36,500.00 |
| Item 10. Salary for Clerk to Marion County Tuberculosis<br>Association .....  | \$ 1,900.00  |
| Total, Item 10 .....  | \$ 1,900.00  |
| Item 11. Health Department .....  | \$ 10,661.00 |
| A. Transportation for Crippled Children .....   | 500.00       |
| B. Medicine for T. B. Patients .....  | 200.00       |
| Total, Item 11 .....  | \$ 11,361.00 |
| Item 12. Libraries:   |              |
| A. Marion Library .....   | \$ 1,750.00  |
| B. Mullins Library .....  | 1,750.00     |
| C. Nichols Library .....  | 750.00       |
| D. Traveling Library .....  | 1,500.00     |
| Total, Item 12 .....  | \$ 5,750.00  |
| Item 13. County Agent's Office:   |              |
| A. County Agent .....   | \$ 900.00    |
| A-1. Two Assistant County Agents @ \$300.00 each .....  | 600.00       |
| B. Clerk to County Agent .....  | 150.00       |
| C. Postage and Office Supplies .....  | 400.00       |
| Total, Item 13 .....  | \$ 2,050.00  |
| Item 14. Home Demonstration Agent's Office:   |              |
| A. Clerk—Salary Supplement .....  | \$ 420.00    |
| B. Supplies and Incidentals .....   | 200.00       |

|  |             |
|--|-------------|
| C. Telephone .....   | 150.00      |
| D. Home Demonstration Agent, Salary Supplement .....   | 240.00      |
| E. Assistant Home Demonstration Agent, Salary Supplement .....   | 150.00      |
| Total, Item 14 .....   | \$ 1,160.00 |
| Item 15. Boys' and Girls' 4-H Club Work .....  | \$ 300.00   |
| Total, Item 15 .....   | \$ 300.00   |
| Item 16. Negro Agricultural and Home Demonstration Agent's Office:                                     |             |
| A. Rent, fuel, telephone and other supplies and services .....   | \$ 750.00   |
| B. Clerical Personnel .....  | 2,280.00    |
| <i>Provided</i> , that the County Agent and Home Demonstration Agent shall employ the clerk or clerks. |             |
| C. Home Demonstration Agent—Travel, \$570.00—Salary, \$570.00 .....                                    | 1,140.00    |
| D. Equipment, Demonstration Materials and Supplies and Activities .....                                | 400.00      |
| E. Boys' 4-H Club Work and Supplies .....  | 150.00      |
| F. Girls' 4-H Club Work and Supplies .....   | 150.00      |
| G. Negro Agricultural Agent—Salary Supplement .....  | 300.00      |
| Total, Item 16 .....   | \$ 5,170.00 |
| Item 17. Office of Judge of Probate .....  | \$ 2,400.00 |
| Total, Item 17 .....   | \$ 2,400.00 |
| Item 18. Marion Soil Conservation District .....   | \$ 900.00   |
| Total, Item 18 .....   | \$ 900.00   |
| Item 19. Marion County Planning and Development Board .....  | \$ 7,200.00 |
| Total, Item 19 .....   | \$ 7,200.00 |
| Item 20. Miscellaneous:  |             |
| A. Marion Rural Fire Dept. ....  | \$ 500.00   |
| B. Mullins Rural Fire Dept. ....   | 500.00      |

|  |          |
|--|----------|
| C. Nichols Rural Fire Dept. ....   | 200.00   |
| D. Marion National Guard .....   | 1,000.00 |
| E. Mullins National Guard .....  | 1,000.00 |
| F. Radio Repair for Radios and Insurance on Radios .....   | 500.00   |
| G. Official Bond Premiums .....  | 800.00   |
| H. Printing and office supplies, stamps, and Box Rent .....                                      | 5,000.00 |
| I. Advertising—Tax Notices .....   | 600.00   |
| J. Junior Homemakers Association .....   | 300.00   |
| K. Marion Rescue Squad .....   | 1,000.00 |
| L. Mullins Rescue Squad .....  | 1,000.00 |
| M. Hospitalization Insurance for county employees .....  | 900.00   |
| N. Secretary to Circuit Judge .....  | 500.00   |
| O. Salary and Equipment for third Game Warden .....  | 2,000.00 |
| P. Compensation compromise—claim for dependents of J. Leon Gasque, deceased former Sheriff ..... | 7,500.00 |
| Q. County Service Officer .....  | 900.00   |
| R. City of Marion and City of Mullins—radio frequency changeover @ \$250.00 each .....           | 500.00   |

|                      |              |
|----------------------|--------------|
| Total, Item 20 ..... | \$ 24,700.00 |
|----------------------|--------------|

|                   |              |
|-------------------|--------------|
| GRAND TOTAL ..... | \$279,534.78 |
|-------------------|--------------|

## Less Estimated Revenues:

|                             |              |
|-----------------------------|--------------|
| Magistrates' Fines .....    | \$ 30,000.00 |
| Alcoholic Tax .....         | 21,000.00    |
| Gas Tax .....               | 67,000.00    |
| Beer and Wine Tax .....     | 8,000.00     |
| Fines and Forfeitures ..... | 10,000.00    |
| Insurance Licenses .....    | 11,000.00    |
| Bank Tax .....              | 5,000.00     |
| Income Tax .....            | 31,000.00    |
| Interest .....              | 1,400.00     |
| Miscellaneous Revenue ..... | 7,500.00     |

|             |              |
|-------------|--------------|
| TOTAL ..... | \$191,900.00 |
|-------------|--------------|

|                                       |              |
|---------------------------------------|--------------|
| AMOUNT TO BE RAISED BY TAXATION ..... | \$ 87,634.78 |
|---------------------------------------|--------------|

**SECTION 4.** The board of county commissioners is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The chairman of the board of county commissioners and the county treasurer shall execute a note or notes for such loan or loans, which note or notes, when so executed, shall be a lien upon all taxes to be raised during the year 1963 for the levy to be made under this act; *provided*, that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes, and the board of county commissioners and the county treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein made for any purpose whatsoever unless upon authorization of the county delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1962, and ending June 30, 1963, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the county treasurer an indemnity bond in some approved surety company, or shall deposit with the county treasurer, United States, State, county, municipal, school district, Federal Land Bank Bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the county treasurer and the chairman of the board of county commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the board of county commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

**SECTION 5.** From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

**SECTION 6.** The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery and office supplies, which shall also be furnished each of the magistrates upon their written requisition to the board of county commissioners. No claim for mileage or travel for any purpose shall be paid without claimant first securing the approval of the county board of commissioners before making such trip, and if such travel or mileage is authorized and approved claimant shall be paid at the rate of seven cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided*, that the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

**SECTION 7.** The amount hereinabove appropriated for the hospitalization fund shall be paid by the county board of commissioners upon presentation to them of approved claims by the county board of welfare or its director. The county board of welfare, working in conjunction with the superintendent of the hospital, is hereby directed to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and, in the investigation of any applicant for assistance from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be accessible to the county board of welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the county board of public welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the county board of public welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the welfare board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the county board of public welfare is directed to make an investigation of the applicant even though he

or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the county board of public welfare is hereby directed to approve same.

**SECTION 8.** The board of county commissioners, with the approval of a majority of the legislative delegation, shall have authority to employ a county attorney and to pay for his services out of the Contingent Fund.

**SECTION 9.** The county board of commissioners, through its chairman or clerk, is hereby authorized and directed to issue a license to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the amount of the fee shall be recommended by the chairman of the county board of commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of its activities. *Provided*, that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

*Provided*, further, that a majority of the county board of commissioners may, in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

**SECTION 11.** The auditor shall call the local board of assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the tax collector. The tax collector, or assistant tax collector, shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list immediately after the local boards finish their work, and at the end of three months make a report of such work to the county commissioners and the delegation and submit a copy of same to the treasurer. He shall further be required to turn over to the treasurer on the first of each month all money collected by his office the preceding month.

**SECTION 12.** The Tax Collector, or assistant tax collector, of Marion County shall receive two dollars execution fee on all taxes so collected by him. The tax collector, or assistant tax collector,

upon collecting such taxes, shall turn all costs and fees over to the county treasurer and take receipts therefor, and at the end of each month thereafter the county treasurer is authorized and directed to pay over to the tax collector, or assistant tax collector, two dollars on each execution fee so collected by him.

**SECTION 13.** The twenty-five hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid seven dollars and fifty cents per day while attending his official duties as such, plus seven cents per mile for mileage.

**SECTION 14.** All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

**SECTION 15.** All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P. M. All county officers and employees shall be entitled to a half-day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half-day holidays to be arranged by the head of each department; *provided*, however, that deputy sheriffs shall not be entitled to a half-day holiday during the tobacco season except when the same shall be expressly authorized by the sheriff.

**SECTION 16.** In order to facilitate the preparing of the county appropriations act by the legislative delegation, the county treasurer shall, on or before the first day of February each year, in writing, report to the legislative delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of the funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the respective boards of the county, certificates or warrants of the clerk of court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall, on or before the first day of February of each year, report to the legislative delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the legislative delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year, and an estimate of all dis-

bursements for the present school fiscal year. He shall also furnish to the legislative delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school year.

**SECTION 17.** In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college and need financial assistance to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the legislative delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the county board may prescribe. These scholarships shall be paid from surplus funds accruing to the department of education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

**SECTION 18.** All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. Any officer or employee violating the provisions hereof shall be discharged or removed from employment or office. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof, shall expire and terminate on June 30, 1963.

**SECTION 19.** All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

**SECTION 20.** The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime

therein. *Provided*, however, that the magistrates' constables shall aid and assist the sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the sheriff of the county at all times, and, when so called, they shall work in cooperation with the sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge the duties in this respect shall be deemed guilty of official misconduct and be forthwith removed from office.

**SECTION 21.** Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the legislative delegation or a majority thereof.

**SECTION 21A.** The Sheriff of Marion County is authorized to employ a Deputy who shall handle all warrants issued for the violation of the check laws of the State.

In addition to all other fees and charges, there shall be placed an additional charge of ten dollars for each warrant issued for worthless checks, which shall be placed in a special fund and expended upon the authority of a majority of the legislative delegation, including the Senator. *Provided*, this charge shall not be made except when the prosecution in such cases is discontinued by settlement or compromise.

**SECTION 22.** This act shall take effect upon the approval of the Governor.

Approved the 27th day of June, 1963.

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(R220, S260)

**No. 613**

**An Act Authorizing The Governing Body Of Marlboro County To Compensate Monnie C. Rainwater For Certain Injuries.**

Whereas, on the twenty-fifth day of June, 1962, Monnie C. Rainwater received disabling and disfiguring burns over his entire body in an accident at the Marlboro County Prison Camp through no fault of his own; and

Whereas, Monnie C. Rainwater has no recourse at law to recover from the injuries; and

Whereas, the governing body of Marlboro County is conscious of a moral obligation on the part of the county to reasonably compensate him for the injuries inflicted. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Marlboro County may pay money to Monnie C. Rainwater.**—That the Marlboro County Board of Commissioners is authorized to pay a sum not to exceed twenty-five hundred dollars to Monnie C. Rainwater from the miscellaneous contingent fund of the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R617, H1839)

**No. 614**

**An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof; To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1963, And For The Expenditure Thereof; And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following amounts are appropriated from the General Fund of Marlboro County for the purposes herein stated :

Item 1. Law Enforcement and Administration of Justice :

(A) Sheriff's Office :

Salaries :

|  |             |
|--|-------------|
| Sheriff .....                                      | \$ 5,840.00 |
| Clerical Assistant .....                           | 3,300.00    |
| Deputy Sheriffs (2 Jailors) .....                  | 5,520.00    |
| Cook (Jail) .....                                  | 780.00      |
| Rural Policemen and Deputy Sheriffs (six) ..       | 27,220.00   |
| Contingent Fund, Uniform Fund and Radio Fund ..... | 1,500.00    |
| Dieting Prisoners .....                            | 6,000.00    |

|   |              |
|---|--------------|
| Medical Expense (Jail) .....  | 500.00       |
| Servicing Law Enforcement Vehicles .....  | 7,500.00     |
| Post Mortems, Inquests and Lunacies .....   | 1,000.00     |
| (B) Judiciary:  |              |
| County Judge .....  | 4,800.00     |
| Attorney, to be appointed by County Delegation .....  | 1,200.00     |
| Magistrates:  |              |
| McColl .....  | 1,200.00     |
| Office Rent, McColl Magistrate .....  | 200.00       |
| Office Rent, Blenheim Magistrate .....  | 200.00       |
| Bennettsville .....   | 2,400.00     |
| Clio .....  | 660.00       |
| Brightsville .....  | 480.00       |
| Blenheim .....  | 600.00       |
| Wallace .....   | 480.00       |
| Brownsville .....   | 480.00       |
| <i>Provided</i> , it shall be the duty of the Board of Commissioners to audit the Magistrates' books monthly, and see that all fines have been turned over to the Treasurer before pay warrants are issued. |              |
| Bailiffs, Witnesses, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors eight dollars per day and mileage .....  | 7,000.00     |
| Total, Item 1 .....   | \$ 78,860.00 |
| Item 2. Supervisor's Office:  |              |
| (A) Salaries:   |              |
| Supervisor .....  | \$ 7,500.00  |
| Clerk of County Highway Commissioners .....   | 3,960.00     |
| (B) Roads, Bridges, Maintenance and Convicts .....  | 95,000.00    |
| Total, Item 2 .....   | \$106,460.00 |
| Item 3. Courthouse Officials, Courthouse, Public Buildings, Insurance and Office Supplies:  |              |
| (A) Salaries:   |              |
| Treasurer .....   | \$ 3,800.00  |
| Assistant to Treasurer .....  | 2,700.00     |
| Clerk of Court .....  | 1,620.00     |

|  |          |
|--|----------|
| Assistant to Clerk of Court .....                      | 3,000.00 |
| Second Assistant to Clerk of Court .....               | 3,000.00 |
| Auditor .....  | 3,800.00 |
| Assistant to Auditor .....                             | 3,420.00 |
| County Service Officer .....                           | 2,187.00 |
| Assistant County Service Officer .....                 | 1,944.00 |
| Clerk—Judge of Probate .....                           | 240.00   |
| Coroner .....  | 2,100.00 |
| Supplement to Game Warden Salaries .....               | 2,100.00 |
| Part-time Secretary for Soil Conservation Office ..... | 1,000.00 |
| Assistant to County Agent .....                        | 240.00   |

## (B) Supplies:

|   |           |
|---|-----------|
| Janitor, Courthouse .....   | 2,860.00  |
| Workmen's Compensation Premium .....                                | 1,500.00  |
| Social Security .....   | 6,000.00  |
| Water, lights, fuel, repairs and insurance .....                    | 25,000.00 |
| Printing, Postage and Stationery .....                              | 7,000.00  |
| Audit of County Books .....   | 2,800.00  |
| For retirement of County Officers, if so much<br>be necessary ..... | 8,000.00  |

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Total, Item 3 .....\$ 84,311.00

## Item 4. Public Health, Charities and Social Welfare:

|   |           |
|---|-----------|
| Sanitary Officer .....  | \$ 300.00 |
| Health Department .....   | 13,785.00 |
| Marlboro County General Hospital, to supple-<br>ment charity aid from Duke Foundation ..... | 11,500.00 |
| Marlboro Tuberculosis Association .....   | 1,250.00  |
| Library Association .....   | 8,920.00  |
| Home and Recreational Center for Aged Ne-<br>groes of Marlboro County .....                 | 750.00    |
| Marlboro County U.D.C. ....   | 15.00     |
| Armory Maintenance Fund .....   | 1,000.00  |
| Mileage for Child Welfare Work .....  | 1,300.00  |
| Salary, Director Public Welfare .....   | 600.00    |
| Public Welfare Department .....   | 7,340.00  |
| Telephone Expenses for Welfare Dept .....   | 900.00    |

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Total, Item 4 .....\$ 47,660.00

**Item 5. Marlboro County Agricultural and Development Board:****(A) Salaries:**

|                          |             |
|--------------------------|-------------|
| Executive Director ..... | \$ 8,500.00 |
| Secretary .....          | 3,120.00    |

**(B) Miscellaneous:**

|  |          |
|--|----------|
| Auto Expense (Director) .....                                  | 500.00   |
| General Economic Development Fund .....                        | 2,500.00 |
| Publication, Directories, Professional Dues and Services ..... | 550.00   |

**(C) Office Supplies and Telephone:**

|                 |        |
|-----------------|--------|
| Supplies .....  | 550.00 |
| Telephone ..... | 750.00 |

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Total, Item 5 .....\$ 16,470.00

**Item 6. Miscellaneous Contingent:**

|   |             |
|---|-------------|
| Bonds, County Officers .....                | \$ 1,500.00 |
| Demonstration Supplies for Home Agents .... | 125.00      |
| Boys' 4-H Club .....                        | 100.00      |
| Girls' 4-H Clubs .....                      | 100.00      |
| Negro Boys' 4-H Clubs .....                 | 100.00      |
| Negro Girls' 4-H Clubs .....                | 100.00      |
| County Agent .....                          | 600.00      |
| Assistant County Agent .....                | 300.00      |
| Salaries of Prison Camp Preachers .....     | 480.00      |
| Lake Wallace Recreation Project .....       | 2,500.00    |

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Total, Item 6 .....\$ 5,905.00

**Item 7. Civil Defense:**

|                                    |             |
|------------------------------------|-------------|
| Marlboro County Rescue Squad ..... | \$ 1,250.00 |
|------------------------------------|-------------|

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Total, Item 7 .....\$ 1,250.00

**Item 8. Special Contingent Fund .....\$ 50,000.00**

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Total, Item 8 .....\$ 50,000.00

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GRAND TOTAL .....\$390,916.00

## ESTIMATED REVENUE:

## State Sources:

|                             |              |
|-----------------------------|--------------|
| Gasoline Tax .....          | \$ 91,000.00 |
| Income Tax .....            | 61,000.00    |
| Alcoholic Liquors Tax ..... | 29,000.00    |
| Beer and Wine Tax .....     | 7,500.00     |
| Bank Tax .....              | 3,000.00     |

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Total derived from State Appropriations herein \$191,500.00

## County Sources:

|  |            |
|--|------------|
| 15 Mills Property Tax and Executions .....     | 135,000.00 |
| Court Fines and Magistrates' Collections ..... | 63,000.00  |
| Marriage Fees .....                            | 2,000.00   |

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Total derived from County Sources for appropriations herein ..... \$200,000.00

GRAND TOTAL—ESTIMATED  
REVENUE ..... \$391,500.00

All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county directors and countersigned by a member of the Board of Public Welfare, to be by the board designated. *Provided*, that the director's salary shall be paid by the county commissioner as is customary in the claims against the county.

**SECTION 2.** The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year, but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any purpose; *provided*, that out of the surplus contingent fund are to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriations for any purpose. No officer, agent or

employee of Marlboro County shall contract any debt for any purpose, or expend any sums in excess of the appropriations in this act providing for such specific purpose, and for any and all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent or employee shall be personally liable for any such debt contracted.

**SECTION 3.** All funds herein appropriated for Marlboro County Agricultural and Development Board shall be expended pursuant to the direction and authorization of the Board.

**SECTION 4.** The sheriff of the county shall have the right, whenever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney is to be approved and paid by the county commissioners.

**SECTION 5.** The Sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars, hereinabove made, shall be expended by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

**SECTION 6.** The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall file his request for same, in writing, with the County Board of Highway Commissioners, who shall make such purchase in accordance with provisions herein made. No office or board shall have any authority to make contracts of purchase or incur other obligations in

the name of the county except as authorized by law, and no contracts made, except as herein provided, shall be valid to bind the county.

**SECTION 7.** The appropriation of eleven thousand five hundred dollars for the treatment in the Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: That no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge whatsoever except the daily expense of sixteen dollars and fifty-eight cents per patient. *Provided*, that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, such statement being presented to the Board of County Commissioners at their regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of sixteen dollars and fifty-eight cents, leaving fifteen dollars and fifty-eight cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give fifteen dollars and fifty-eight cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1963-1964. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The Board of County Commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management, forms and blanks for making the above-mentioned certified statements. *Provided*, further, that the charity patients herein referred to must be citizens of Marlboro County.

**SECTION 8.** The sheriff shall be allowed one dollar and twenty-five cents per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

**SECTION 9.** The janitor of the Courthouse shall be hired by the supervisor.

**SECTION 10.** The County Commissioners shall receive as pay for their services the sum of fifteen dollars for each day actually engaged

on official duty and mileage at the rate of nine cents per mile actually traveled. All are to be paid from the contingent fund.

**SECTION 11.** The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

**SECTION 12.** The sheriff is authorized to sell all materials, supplies or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

**SECTION 13.** The Board of Commissioners shall publish once each month in some newspaper published in Marlboro County an itemized statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

**SECTION 14.** The County Supervisor shall be the executive head of the County Board of Highway Commissioners; but each member of the Board of County Highway Commissioners shall have equal authority and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

**SECTION 15.** The County Commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge such taxes when collected, as well as the full faith and credit of Marlboro County, for its repayment, upon the written approval of the Legislative Delegation. No amount shall be borrowed in excess of anticipated taxes.

**SECTION 16.** The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with the transfer or use of such funds shall be

deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the Legislative Delegation.

**SECTION 17.** The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

**SECTION 18.** At least fifteen hundred dollars of the eight thousand twenty dollars appropriated to Library Association in Item 4 hereof shall only be used by such association for necessary expense in operating a circulating library over the county.

**SECTION 19.** In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

**SECTION 20.** Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

**SECTION 21.** Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro County Hospital, or for other uses of the hospital as herein provided, or otherwise.

**SECTION 22.** Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

**SECTION 23.** All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

**SECTION 24.** The appropriation herein made for salaries for rural policemen and deputy sheriffs shall be allocated by and in the discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

**SECTION 25.** All execution fees collected by the tax collector which have heretofore been payable to the Treasurer of Marlboro

County as the Treasurer's fees for collection of delinquent taxes shall from the date of this act be payable to the Treasurer of Marlboro County as funds of the county, and shall be deposited by the Treasurer of Marlboro County in the County General Fund. All commissions or fees collected by the Treasurer of Marlboro County for the sale of State documentary stamps shall be paid over to the General Fund of the county by the treasurer. All fees heretofore paid to the Auditor of Marlboro County for any purpose whatsoever shall be paid over to the Treasurer of Marlboro County as county funds, and shall be deposited by the Treasurer in the General Fund of the county. This act will in no way affect the execution fees due the estate of Bessie R. David, deceased, and the estate of L. K. Breeden, deceased, on delinquent taxes that may hereafter be collected.

**SECTION 26.** The appropriation herein made for Armory maintenance shall be expended pursuant to the written direction and authorization of the Commanding Officer of Co. A, 3rd Bn. (mechanized) 118th Infantry. Such written authorization shall contain an itemization of expenditures.

**SECTION 27.** The appropriation made in Item 7 "Special Contingent Fund" shall be expended on the written authorization and direction of the Marlboro Legislative Delegation and shall be expended in connection with a special program for tax equalization.

**SECTION 28.** The appropriation herein made for the Lake Wallace recreation project shall be expended pursuant to the written authorization of the Marlboro County Legislative Delegation.

**SECTION 29.** This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

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(R22, H1084)

**No. 615**

**A Joint Resolution To Create The Newberry County Nursing Home Committee, To Provide For The Appointment Of Members And Outline The Duties And Authority Of The Committee.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Newberry County Nursing Home Committee created.**—There is hereby created the Newberry County Nursing Home

Committee. The committee shall be composed of seven members, all of whom shall be appointed by the Governor upon the recommendation of the Legislative Delegation from Newberry County.

**SECTION 2. Chairman—meetings.**—As soon as practicable after their appointment, the committee shall meet and from among themselves select one of their members to serve as chairman and one to serve as secretary. Thereafter the committee shall meet at the call of the chairman or a majority of the members. To constitute a quorum for the purpose of transacting any business, two-thirds of the members of the committee must be present.

**SECTION 3. Duties.**—The committee shall study the needs of the county for a nursing home. The committee shall formulate plans with estimates of costs and time necessary to complete construction. It shall investigate land sites and estimate land requirements with costs, and shall make a complete survey of building needs. The committee shall employ such architects and engineers as are considered necessary and shall consult with such county officials and citizens of Newberry County as may be necessary or desirable in order to present to the county a building which will serve the people in an ever expanding economy for years to come without the need of expensive extensions and additions. The committee shall make a report of its findings to the Newberry County Legislative Delegation not later than January 1, 1964.

**SECTION 4. Expenses.**—Such expenses as may be incurred by the committee for the services of an architect, engineer and such others as may be necessary shall be paid from the general fund of the county by the county finance board upon vouchers signed by the chairman of the committee.

**SECTION 5. Compensation.**—The members of the committee shall be authorized such per diem and mileage as authorized for members of boards, commissions and committees.

**SECTION 6. Duties further.**—In the event that the committee report is favorable and expresses such need and is approved by the Legislative Delegation, then the committee shall be authorized and empowered to do all things necessary or convenient for the establishment and maintenance of a nursing home.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R280, H1589)

**No. 616**

**An Act To Amend Section 2 Of Act No. 789 Of 1952, Relating To The Service Area Of The Clinton-Newberry Natural Gas Authority, So As To Include All Of Newberry County Within The Area.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 2 of Act 789 of 1952 amended—service area.**—Section 2 of Act No. 789 of 1952 is amended by striking the following beginning on line 6: “a point ten miles southeastwardly from the southernmost boundary of the present city limits of Newberry,” and inserting in lieu thereof the following: “the Laurens-Newberry County line”, and by changing the period to a semicolon after the word “direction” on line 9 and adding the following: “and shall include the entire county of Newberry.” The section when amended shall read as follows:

“Section 2. In order that there shall be no competition between the system of the authority and publicly operated natural gas systems, now or hereafter constructed, the service area of the authority shall begin at a point on U. S. Highway 76, midway between the present municipal limits of Laurens and Clinton, and shall extend along U. S. Highway 76 southeastwardly to the Laurens-Newberry County line and shall extend on either side of such highway five miles in each direction; and shall include the entire county of Newberry. No municipality or other public authority or body shall operate a competing system within this service area; *provided*, that this provision shall not be construed to deny others the right to construct transmission lines through the area. Nor shall the authority serve any customer outside of this service area, without first obtaining the consent of the governing body of the municipality or authority having a system or any part thereof within two miles of the location of such customer, if such other system exists.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R311, H1606)

## No. 617

**An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following amounts are hereby appropriated for the following purposes for the County of Newberry, for the fiscal year beginning July 1, 1963, and the salaries of officers and employees are fixed as hereinafter stated :

Item 1. For salaries of County Officers to be disbursed as follows :

|   |           |
|---|-----------|
| Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyance ..\$ | 5,437.80  |
| Assistant .....   | 4,660.92  |
| Clerical Help for Clerk of Court .....  | 2,718.84  |
| Sheriff .....   | 5,826.12  |
| Delinquent Tax Collector .....  | 4,660.92  |
| Deputy Help for Tax Collector to be expended on authorization of Tax Collector .....      | 2,718.84  |
| Jailor .....  | 3,377.04  |
| Assistant Jailor .....  | 388.44    |
| Senior Deputy Sheriff .....   | 4,895.40  |
| Four Deputy Sheriffs .....  | 17,214.72 |
| County Attorney .....   | 1,200.00  |
| County Treasurer .....  | 2,796.48  |
| Clerical Help for Treasurer .....   | 2,718.84  |
| County Auditor .....  | 2,796.48  |
| Clerical Help for Auditor .....   | 2,718.84  |
| Joint Clerical Help for Auditor and Treasurer .....                                       | 2,718.84  |
| Probate Judge .....   | 5,437.80  |
| Clerical Help for Probate Judge .....   | 2,718.84  |
| Coroner .....   | 1,460.40  |
| County Supervisor .....   | 5,437.80  |
| Two Commissioners @ \$1,553.64 each .....   | 3,107.28  |
| Clerk of County Board .....   | 4,660.92  |
| Clerical Help for Board of Commissioners ....   | 1,200.00  |
| Assistant County Agent .....  | 1,200.00  |
| County Agent .....  | 1,200.00  |

*Provided*, Clemson College Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.

Magistrates as follows:

|                                       |          |
|---------------------------------------|----------|
| District No. 1, Whitmire .....        | 1,765.60 |
| District No. 2, Newberry .....        | 4,237.20 |
| Clerical Help .....                   | 1,200.00 |
| District No. 3, Prosperity .....      | 1,412.40 |
| District No. 4, Pomaria .....         | 941.64   |
| District No. 5, Chappels .....        | 941.64   |
| District No. 6, Little Mountain ..... | 941.64   |

Constables:

|   |          |
|---|----------|
| District No. 1 .....                        | 3,107.28 |
| District No. 2 .....                        | 3,107.28 |
| District No. 3 .....                        | 1,056.52 |
| District No. 4 .....                        | 807.96   |
| District No. 5 .....                        | 1,305.12 |
| District No. 6 .....                        | 761.28   |
| Hostess for Community Hall .....            | 1,200.00 |
| Keeper, Ladies' Rest Room .....             | 1,200.00 |
| Keeper, Colored Rest Room .....             | 989.00   |
| Newberry County Board of Registration ..... | 660.00   |

*Provided*, that the Sheriff be allowed the fees for dieting Federal and County Prisoners according to the dieting fees allowed by Federal and State authorities; and *provided*, further, that the Treasurer is hereby authorized to pay all exchange charges by the banks on checks given in payment of taxes. *Provided*, further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly instalments.

|                     |              |
|---------------------|--------------|
| Total, Item 1 ..... | \$118,906.12 |
|---------------------|--------------|

Item 2. Supervisor's Office:

- |                                  |              |
|----------------------------------|--------------|
| (a) Chain gang maintenance ..... | \$ 27,428.00 |
|----------------------------------|--------------|
- (b) For repairs on public buildings, contingent expenses and supplies:

|                                |           |
|--------------------------------|-----------|
| (1) Telephone Service .....    | 3,900.00  |
| (2) Water and Lights .....     | 3,200.00  |
| (3) Fuel .....                 | 3,800.00  |
| (4) Insurance .....            | 2,200.00  |
| (5) Repairs .....              | 4,000.00  |
| (6) Janitor Supplies .....     | 1,000.00  |
| (c) For Road Maintenance ..... | 67,940.00 |

*Provided*, that any unexpended funds appropriated for this purpose for the fiscal year 1962-1963 shall be added to the funds hereby appropriated.

(d) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe ..... 6,000.00

(e) Miscellaneous Contingent Fund ..... 20,000.00

*Provided*, \$15,000.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$5,000.00 shall be spent upon the approval of the County Board of Commissioners.

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Total, Item 2 ..... \$139,468.00

Item 3. For books, stationery, postage, printing and re-binding books and records in the County Courthouse, if so much be necessary ..... \$ 7,500.00

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Total, Item 3 ..... \$ 7,500.00

Item 4. Miscellaneous and Contingent Expenses to be applied as follows:

Uniforms for four Deputy Sheriffs ..... \$ 750.00

For premiums on bonds of county officers, if so much be necessary ..... 850.00

Travel, County Auditor ..... 300.00

Welfare Worker, Travel Expense at nine cents per mile, if so much be necessary ..... 600.00

Stenographer, Home Demonstration Agent's Office ..... 918.60

Stenographer, County Agent's Office ..... 480.00

Postage, Office Incidentals and Demonstration Material for:

Home Demonstration Agent ..... 150.00

County Agent ..... 150.00

|   |                     |
|---|---------------------|
| Boys' 4-H Club Work .....   | 75.00               |
| Negro Boys' 4-H Club Work .....   | 75.00               |
| Girls' 4-H Club Work .....  | 75.00               |
| Negro Girls' 4-H Club Work .....  | 75.00               |
| For Negro Home Demonstration Agent ....   | 1,070.40            |
| Expenses, Negro Home Demonstration Agent  | 100.00              |
| Clerical Help for Negro Home Demonstration Agent .....  | 1,620.00            |
| Rent for colored Home Demonstration Agent and County Agent .....  | 320.00              |
| Expenses, Negro County Agent .....  | 75.00               |
| For printing in County newspaper, itemized quarterly reports of expenditures by the County Board of Commissioners ..... | 660.00              |
| For Regional Library .....  | 8,600.00            |
| Fuel, Whitmire Public Library .....   | 400.00              |
| To S. C. Industrial Commission, Workmen's Compensation Act .....  | 3,500.00            |
| To S. C. Retirement Fund and Insurance ....   | 7,680.00            |
| Social Security .....   | 5,900.00            |
| Emergency Relief .....  | 1,700.00            |
| Newberry County Girl Scouts .....   | 75.00               |
| Newberry County Boy Scouts .....  | 75.00               |
| To County Treasurer for handling Documentary Stamps .....   | 300.00              |
| For County Audit .....  | 1,500.00            |
| County Health Work .....  | 7,000.00            |
| For County Artificial Breeding Association ...  | 1,000.00            |
| For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary ....                        | 2,000.00            |
| Expenses of Service Officer .....   | 500.00              |
| Travel for Coroner, payable \$25.00 monthly ..  | 300.00              |
| Members, County Board of Public Welfare at \$121.00 each .....  | 363.00              |
| For maintenance of car radios, for Sheriff's office at \$30.00 per month .....  | 360.00              |
| For expenses of Clerk of Court in Handling Nonsupport Cases .....   | 300.00              |
| <b>Total, Item 4 .....</b>  | <b>\$ 49,897.00</b> |

|   |              |
|---|--------------|
| Item 5. Board of Equalization and Board of Assessors  | \$ 2,000.00  |
| Total, Item 5   | \$ 2,000.00  |
| Item 6. For expenses of Court of Common Pleas and<br>General Sessions, if so much be necessary      | \$ 6,500.00  |
| <i>Provided, jurors and bailiffs shall be paid seven<br/>dollars and fifty cents per day.</i>       |              |
| Total, Item 6   | \$ 6,500.00  |
| Item 7. For dieting prisoners @ ninety cents per day,<br>if so much be necessary                    | \$ 5,500.00  |
| Total, Item 7   | \$ 5,500.00  |
| Item 8. Post Mortems and Lunacy and Coroner's In-<br>quests, if so much be necessary                | 900.00       |
| Total, Item 8   | \$ 900.00    |
| Item 9. Company Maintenance Funds, National Guard<br>Co. K, 218th Infantry, Whitmire                | \$ 1,200.00  |
| Custodian, Newberry National Guard Armory   | 2,500.00     |
| Total, Item 9   | \$ 3,700.00  |
| Item 10. Official Expense for Deputy Sheriffs to be paid<br>in monthly installments of \$15.00 each | \$ 900.00    |
| Finger printing expense for Sheriff's office  | 300.00       |
| Total, Item 10  | \$ 1,200.00  |
| Item 11. Board of Rural Fire Control, to be paid upon<br>approval of a majority of said Board       | \$ 5,000.00  |
| Total, Item 11  | \$ 5,000.00  |
| GRAND TOTAL   | \$340,571.12 |

**SECTION 2.** All salaries herein provided shall be for the fiscal year 1963-1964 and shall be paid monthly.

**SECTION 3.** All revenue and income accruing to the County of Newberry in 1963-1964 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

**SECTION 4.** The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in the County of Newberry for the year beginning July 1, 1963, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

**SECTION 5.** A special levy of one mill for the year beginning July 1, 1963, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

**SECTION 6.** The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1963-1964 of any and all departments, offices and officers of Newberry County.

**SECTION 7.** The penalty of three per cent on delinquent taxes shall go to Newberry County; *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

**SECTION 8.** The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

**SECTION 9.** This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

**An Act To Authorize The County Board Of Commissioners And The Treasurer Of Oconee County To Borrow One Hundred Seventy-Five Thousand Dollars From The Division Of Sinking Funds And Property To Be Used In Meeting The County's Portion Of The Cost Of Establishment Of The Anderson-Oconee-Pickens Technical Education And Training Center, And For County Fire**

**Control Equipment, And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Oconee County may borrow money—interest.—**

The County Board of Commissioners and the Treasurer of Oconee County are hereby authorized to borrow one hundred seventy-five thousand dollars from the Division of Sinking Funds and Property, one hundred thousand dollars of which shall be used in meeting the county's portion of the cost of establishment of the Anderson-Oconee-Pickens Technical Education and Training Center and seventy-five thousand dollars of which shall be used for county fire control equipment. The amount borrowed shall be evidenced by a note to be executed by the County Board of Commissioners and the Treasurer of Oconee County. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, installments. The borrower reserves the right to anticipate the payment of part or all of the loan on any installment date.

**SECTION 2. Payment.—**For the payment of the note, the Auditor of Oconee County shall levy, and the treasurer shall collect, an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act. *Provided*, that before any tax is levied or collected, the treasurer shall apply the surplus funds from all county bond accounts to the payment of the note.

**SECTION 3. Payment—further.—**Should there be default in the payment of any instalment, the State Treasurer is authorized and directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.—**This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

(R648, H1854)

## No. 619

**An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; And To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the legislative delegation, and the treasurer to collect, a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1963, and ending June 30, 1964, and a sufficient levy for the payment of any outstanding bonded indebtedness, as well as for the repayment of the nine hundred thousand-dollar Hospital Bond issue.

**SECTION 2.** From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

## Item 1.

- |   |              |
|---|--------------|
| A-1. Chain Gang .....   | \$ 24,000.00 |
| A-2. Roads, Bridges, Rock Crusher, labor and replacement of parts, trucks and machinery ..... | 130,000.00   |
- The above amount shall come from any surplus gasoline tax and the General Fund of the county.

*Provided*, that \$15,000.00 of the \$130,000.00 is prorated for services and materials used in incorporated towns of Oconee County. The funds shall be prorated between municipal corporations of Oconee County according to the assessed valuation; *provided*, further, no municipal corporation shall receive less than \$800.00 regardless of assessment.

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|-------------------------------------|-----------|
| A-3. Payment of new equipment ..... | 20,000.00 |
| B. Road Bonds and Interest .....    | 30,000.00 |

So much of the gasoline tax fund derived from the one-cent gasoline tax received by the county, as shall be necessary to repay the principal and interest on road bonds due and payable in the fiscal year 1963-1964, shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of the principal and interest in the amount listed above.

- C. Paved Roads and resurfacing old paved roads . . 70,000.00  
*Provided*, each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are kept on each project, showing expenditures and to what purposes. \$10,000.00 of the surplus gas tax shall be applied to this account.

Item 2.

- A. Operation and maintenance of county farm to include salary of steward and matron and purchases that may become necessary . . . . . 11,000.00

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above-mentioned in an economical and businesslike manner, and to that end the following procedure shall be observed:

a. The supervisor and members of the board of commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C, Paved Roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners, shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commis-

sioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economies effected and distribution of contract among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed eight hundred dollars may be made by the county supervisor without bids and advertisement. *Provided*, that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3. Salaries:

|                                   |             |
|-----------------------------------|-------------|
| A. Clerk of Court .....           | \$ 5,200.00 |
| 1st Clerk .....                   | 3,400.00    |
| 2nd Clerk .....                   | 3,400.00    |
| 3rd Clerk .....                   | 2,800.00    |
| Office Supplies .....             | 6,000.00    |
| B. Treasurer .....                | 1,702.00    |
| Clerk .....                       | 3,200.00    |
| Extra Clerical Hire .....         | 800.00      |
| Office Supplies .....             | 1,700.00    |
| C. Auditor .....                  | 1,702.00    |
| 1st Clerk .....                   | 3,000.00    |
| 2nd Clerk .....                   | 2,800.00    |
| Office Supplies .....             | 800.00      |
| D. Supervisor .....               | 5,500.00    |
| Clerk .....                       | 3,300.00    |
| Office Supplies .....             | 1,000.00    |
| E. Judge of Probate .....         | 4,300.00    |
| Clerk .....                       | 3,200.00    |
| Office Supplies .....             | 1,800.00    |
| Extra Special Hearing Clerk ..... | 300.00      |
| F. Comptroller .....              | 4,800.00    |
| Clerk .....                       | 3,400.00    |
| Office Supplies .....             | 400.00      |
| G. County Physician .....         | 900.00      |
| H. County Attorney .....          | 900.00      |

*Provided*, that additional compensation shall be authorized by the supervisor and county board

of commissioners in litigation, to be paid from the contingent fund.

|   |           |
|---|-----------|
| I. Coroner .....  | 1,500.00  |
| Travel .....  | 250.00    |
| Office Supplies .....   | 50.00     |
| J. Custodian of courthouse and county offices .....   | 3,150.00  |
| K. Members Board of Commissioners Salary, five at \$600.00 each .....   | 3,000.00  |
| Travel, five at \$600.00 each .....   | 3,000.00  |
| <i>Provided</i> , travel is done in own vehicles at own expense and not in county vehicles.   |           |
| L. Tax Collector .....  | 4,800.00  |
| Travel .....  | 360.00    |
| Clerk .....   | 3,200.00  |
| Office Supplies .....   | 600.00    |
| M. Law Enforcement:   |           |
| Sheriff's salary .....  | 5,500.00  |
| Chief Deputy Sheriff, salary .....  | 4,400.00  |
| 7 Deputies at \$4,200.00 each .....   | 29,400.00 |
| Uniforms, Sheriff and Deputies, (8) @ \$200.00 each .....   | 1,600.00  |
| <i>Provided</i> , that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County.                |           |
| <i>Provided</i> , further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers. |           |
| Gasoline .....  | 5,000.00  |
| <i>Provided</i> , all fees accruing to the Sheriff and Deputies shall be returned to the General Fund of the County.  |           |
| Clerk .....   | 3,200.00  |
| Maintenance .....   | 5,500.00  |
| Purchase and repair of automobiles for Sheriff and Deputies; <i>provided</i> , one new car is purchased each year.  |           |
| Jailors .....   | 4,400.00  |
| Salaries to be set by Sheriff.  |           |
| Industrial Constables .....   | 2,400.00  |

|  |              |
|--|--------------|
| Industrial Constables, travel .....  | 1,000.00     |
| Industrial Constables (Clemson area) .....   | 1,200.00     |
| Magistrate's Constable, Seneca .....   | 1,500.00     |
| Office Supplies .....  | 500.00       |
| N. Magistrates:  |              |
| Seneca .....   | 1,300.00     |
| Walhalla .....   | 1,300.00     |
| Westminster .....  | 1,300.00     |
| Salem .....  | 750.00       |
| Oakway .....   | 750.00       |
| Office supplies .....  | 150.00       |
| To be approved by County Comptroller prior to purchase, no magistrate to use over \$30.00 each.  |              |
| O. Miscellaneous:  |              |
| Home Demonstration Stenographer supplement .....   | 1,600.00     |
| Farm Agent Stenographer supplement .....   | 1,140.00     |
| Clerical assistant to Probation Officer .....  | 300.00       |
| Item 4. Boards:  |              |
| A. Board of Tax Appeals .....  | \$ 300.00    |
| Board of Assessors to be paid from the General Contingent Fund with the approval of the delegation.  |              |
| B. Sinking Fund Commission, 3 members @ \$50.00 each .....   | 150.00       |
| Item 5. Contributions:   |              |
| A. Supplies and telephone, Home Demonstration Agent .....  | \$ 200.00    |
| B. Supplies, Farm Agent .....  | 100.00       |
| C. Boys' 4-H Club Work .....   | 150.00       |
| D. Girls' 4-H Club Work .....  | 150.00       |
| E. Future Farmers Chapter .....  | 100.00       |
| F. Junior Homemakers Chapter .....   | 100.00       |
| G. Maintenance 4-H Club Center .....   | 300.00       |
| H. Travel for 2 fire wardens @ \$550.00 each .....   | 1,100.00     |
| Item 6. Oconee County Library Commission .....   | \$ 23,500.00 |
| Item 7. Court expense .....  | \$ 10,000.00 |
| A. <i>Provided</i> , petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance. |              |

- B. Magistrate and coroner jurors shall be paid one dollar per day.
- Item 8. Operating of jail, including feeding prisoners . . \$ 5,500.00  
(Upon presentation of itemized and notarized claims to include kitchen supervisor)  
Purchases, other than food, to be made by Supervisor.
- Item 9. Public Welfare:
- A. Emergency relief . . . . . \$ 5,500.00  
*Provided*, that no more than fifty per cent shall be expended in any one quarter. *Provided*, further, that no more than fifty per cent shall be expended in six months.
- B. Board of Public Welfare, 3 members @ \$60.00 each . . . . . 180.00
- C. Travel for Child Welfare Worker . . . . . 900.00
- Item 10. Lunacy and Inquest . . . . . \$ 1,200.00
- Item 11. Public buildings, upkeep and maintenance (all purchases to be made by the Supervisor) . . . . \$ 10,000.00
- Item 12. Books, printing, postage, etc., as specified in Office Supplies. *Provided*, that no office equipment shall be purchased with these funds.
- Item 13. Bond premiums and insurance . . . . . \$ 6,500.00
- Item 14. Telephone account . . . . . \$ 2,500.00  
*Provided*, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.
- Item 15. County Health Unit . . . . . \$ 16,380.00
- Item 16. County Planning Board . . . . . \$ 8,500.00
- Item 17. County Service Officer, county's part . . . . \$ 3,700.00
- Item 18. County Hospital . . . . . \$ 5,000.00
- Item 19. Contingent Fund . . . . . \$ 10,000.00  
*Provided*, that this fund shall be expended only upon the written approval of a majority of the legislative delegation.
- Item 20. General Contingent . . . . . \$ 7,500.00  
*Provided*, that rentals, magistrates' telephones and miscellaneous obligations, including an an-

nual audit of books and records of Oconee County shall be paid therefrom.

|   |              |
|---|--------------|
| Item 21. National Defense:  |              |
| Seneca Unit .....   | \$ 1,000.00  |
| Clemson Unit .....  | 300.00       |
| Item 22. Retirement and Social Security, county's part ..   | \$ 18,000.00 |
| Item 23. Law Enforcement Travel—out of county travel\$  | 500.00       |
| The Sheriff or his deputies, when on necessary official duty beyond the limits of the county, shall be paid actual expenses, not to exceed ten dollars per day. Before being paid, he shall present itemized and notarized vouchers for mileage and receipted bills for expenses. |              |
| Item 24. Artificial Insemination Program .....  | \$ 2,500.00  |
| <i>Provided</i> , this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.   |              |
| Item 25. Soil Conservation .....  | \$ 2,000.00  |
| <i>Provided</i> , that such funds shall be used only in the maintenance and operation of The Coneross Watershed project.  |              |
| Item 26. Civil Defense .....  | \$ 3,500.00  |
| To be expended upon the approval of the legislative delegation.   |              |
| Item 27. Rural Fire Control Commission .....  | \$ 2,500.00  |
| To be expended upon the approval of the legislative delegation.   |              |
| Item 28. Tri-county Mental Health Commission .....  | \$ 5,000.00  |
| Item 29. Tri-county Technical Education Center .....  | \$ 4,000.00  |
| <hr/>   |              |
| TOTAL .....   | \$604,214.00 |
| Estimated Revenue Other Than Taxes:   |              |
| Gasoline Tax .....  | \$120,000.00 |
| Alcoholic Liquor Tax .....  | 32,000.00    |
| Beer and Wine Tax .....   | 8,000.00     |
| Bank Tax .....  | 3,000.00     |
| Insurance License Fees .....  | 12,000.00    |
| Income Tax .....  | 35,000.00    |

|                                  |           |
|----------------------------------|-----------|
| National Forest Fund .....       | 23,000.00 |
| Magistrate Fines .....           | 32,000.00 |
| Judge of Probate, fees .....     | 2,500.00  |
| Clerk of Court .....             | 25,000.00 |
| Other fees and forfeitures ..... | 5,000.00  |

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|             |              |
|-------------|--------------|
| TOTAL ..... | \$297,500.00 |
|-------------|--------------|

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|                                    |              |
|------------------------------------|--------------|
| Amount to be raised by taxes ..... | \$306,714.00 |
|------------------------------------|--------------|

**SECTION 3.** The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the appropriations act.

**SECTION 4.** A tax of thirty-eight mills is hereby laid upon all taxable property of Oconee County for general school purposes, and the Auditor of Oconee County is hereby authorized and directed to levy the tax laid, and the treasurer is required to collect the revenues arising therefrom, and the revenues shall be used by the Oconee County Board of Trustees of the School District of Oconee County for administration, the supplementation of teachers' salaries, maintenance and operation of all schools located in the School District of Oconee County.

**SECTION 5.** The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as reported by the South Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

**SECTION 6.** The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

**SECTION 7.** No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The legislative delegation is hereby empowered to transfer from the general fund, or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board of com-

missioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

**SECTION 8.** The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total number of acres being farmed and the market value of all commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures and to what purpose.

**SECTION 9.** The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory shall be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

**SECTION 10.** All past transfers of funds by order of the members of the previous and present legislative delegation are hereby validated and confirmed.

**SECTION 11.** The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1963, to June 30, 1964, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to submit a bid for the

total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any and all bids made therefor.

**SECTION 12.** The treasurer, upon written request of the county board of education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1963, to June 30, 1964, and to execute obligations in the name of the schools for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and county board of education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any or all bids made therefor.

**SECTION 13.** The treasurer, upon written request of the county board of education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the General Fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools. Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the General Fund of the county.

**SECTION 14.** The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the General Fund of the county school funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school fund of the county.

**SECTION 15.** The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee

County is authorized to pay same from any school fund in anticipation of the receipts of monthly State aid and transportation; *provided*, such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided*, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

**SECTION 16.** Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes, such department head or heads, not to include the superintendent of education, shall make requisition by order or voucher to the county comptroller's office whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

**SECTION 17.** When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within this State whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the State and at a price equal to or less than the price submitted by such nonresident bidders.

**SECTION 18.** All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and the records shall at all times be subject to public inspection.

**SECTION 19.** The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the treasurer and

comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

**SECTION 20.** No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in the performance of their official duties, except that a department or agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided*, in case of such a leave of absence the department granting the leave of absence shall employ a qualified substitute for the duration of the leave of absence.

**SECTION 21.** All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense; Clemson and Seneca Units; and Soil Conservation Board, shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

**SECTION 22.** Salaries for ordinary clerical employment shall be based on the following schedule:

|  |             |
|--|-------------|
| Beginning or probationary period ..... | \$ 2,600.00 |
| After six months service .....         | 2,800.00    |
| After 2 years service .....            | 3,000.00    |
| After 5 years service .....            | 3,200.00    |
| After 8 years service .....            | 3,300.00    |
| After 10 years service .....           | 3,400.00    |

The term service shall mean continuous employment except upon official leave of absence granted by the department head.

**SECTION 23.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

**Thousand Dollars To Be Used For School Purposes, And To Provide For The Payment Of Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Orangeburg County School District 5 may borrow money.**—The board of trustees of School District No. 5 of Orangeburg County is hereby authorized to borrow not exceeding four hundred thousand dollars from the State Sinking Fund, or any other lending agency at the lowest interest rate available, for the purpose of constructing additional facilities, making additions to existing buildings, or for equipping such facilities for school purposes. The amount borrowed shall be evidenced by a note or notes to be executed by each member of the board of trustees of School District No. 5 of Orangeburg County. The note or notes shall bear interest at not exceeding four per cent per annum from the date thereof, interest to be paid annually, and shall be payable in five equal, annual installments with the right to anticipate payment thereof at any annual interest paying period.

**SECTION 2. Payment.**—For the payment of the note or notes the board of trustees of School District No. 5 shall pledge the annual grant from the State Educational Finance Commission for the repayment of the loan and the interest thereon.

**SECTION 3. Payment further.**—As additional security for the loan, in the event the annual grant to the school district by the State Educational Finance Commission shall be insufficient to pay the principal and interest on the loan, the auditor of Orangeburg County shall levy, and the treasurer of Orangeburg County shall collect, an annual tax upon all of the taxable property of School District No. 5 of Orangeburg County sufficient to retire the loan and the interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note or notes, inclusive of interest, in full, at which time the levy provided herein shall be terminated. In the event the school district may receive or have on hand any funds not otherwise pledged nor designated for a particular use, such funds may be used for payment of the loan and interest thereon.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January; 1963.

(R19, H1054)

## No. 621

**An Act To Authorize The Trustees Of Elloree School District No. 7 In Orangeburg County To Borrow Not Exceeding Eight Thousand Dollars For School Purposes And To Provide For The Payment Of The Indebtedness.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Elloree School District 7 may borrow money.**—The Trustees of Elloree School District No. 7 in Orangeburg County are authorized to borrow not exceeding eight thousand dollars for school purposes. The amount borrowed shall be evidenced by a note or notes executed by the members of the board of trustees of the school district and shall bear interest at a rate not exceeding five per cent per annum. Payment of the principal shall be in one annual payment.

**SECTION 2. Payment.**—For the payment of the principal and interest of the note or notes, the full faith, credit and taxing powers of the district are irrevocably pledged and there shall be levied annually by the Auditor of Orangeburg County, and collected by the Treasurer, in the same manner as other taxes are levied and collected, a tax without limit on all the taxable property within the school district sufficient to pay the principal and interest as they respectively become due.

**SECTION 3. Exempt from taxes.**—The note or notes issued under this act shall be exempt from all state, county, municipal, school district and other taxes.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R38, S99)

## No. 622

**An Act To Make The Supplemental Appropriation For Orangeburg County For The Fiscal Year July 1, 1962 To July 1, 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby appropriated the following amount for county purposes for Orangeburg County for the fiscal year July

1, 1962 to July 1, 1963, which shall be in addition to the Orangeburg County Appropriations Act:

|  |              |
|--|--------------|
| Orangeburg County Planning and Development Commission—Purchase industrial plant sites and industrial plant sites development ..... | \$150,000.00 |
| Total .....  | \$150,000.00 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R39, S100)

#### No. 623

**An Act Directing The Treasurer Of Orangeburg County To Transfer Certain Unexpended Funds To The General Fund.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Transfer of funds by Orangeburg County.**—The Treasurer of Orangeburg County is hereby directed to transfer the balance of funds set aside for the construction of the Orangeburg County Health Center to the general fund of the county.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

(R105, H1298)

#### No. 624

**An Act To Extend The Quail Season In Orangeburg County To March Fifteenth For 1963 Only.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Quail season for Orangeburg County.**—The hunting season for quail in Orangeburg County is extended to March fifteenth for 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of March, 1963.

(R132, H1340)

**No. 625****An Act To Make A Supplemental Appropriation For Orangeburg County For The Fiscal Year July 1, 1962 To July 1, 1963.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** There is hereby appropriated the following amount for county purposes for Orangeburg County for the fiscal year July 1, 1962, to July 1, 1963, which shall be in addition to the Orangeburg County Appropriations Act:

|                                       |              |
|---------------------------------------|--------------|
| Orangeburg County Library Commission— |              |
| erection of County Library .....      | \$125,000.00 |
| Total .....                           | \$125,000.00 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

(R236, H1494)

**No. 626****An Act To Make Supplemental Appropriations For Orangeburg County For The Fiscal Year July 1, 1962 To June 30, 1963.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** There is hereby appropriated the following amounts, for county purposes, for Orangeburg County for the fiscal year July 1, 1962 to June 30, 1963 which shall be in addition to the Orangeburg County Appropriation Act:

|  |             |
|--|-------------|
| 43-B Dieting Prisoners .....   | \$ 4,000.00 |
| 43-C Jail Expense .....  | 1,000.00    |
| 46-E Law enforcement equipment and uniforms...                                   | 1,200.00    |
| 80-A Office equipment and Supplies .....   | 6,000.00    |
| Due to buying additional office equipment for<br>Circuit Judge and Probate Judge |             |
| 80-D Utilities and Supplies .....  | 1,000.00    |
| 80-K To match retirement and Social Security....                                 | 5,000.00    |
| Due to increase in Police Officers Retirement<br>and increase in Social Security |             |

|  |              |
|--|--------------|
| 80-N To match Employees Group Insurance..... | 800.00       |
| 55-C Post Mortems and Lunacy .....           | 1,000.00     |
| TOTAL .....                                  | \$ 20,000.00 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R246, H1491)

**No. 627**

**An Act To Appropriate Sixty-One Thousand Dollars For Hospital Purposes In Orangeburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Orangeburg County — appropriation for hospital purposes.**—There is hereby appropriated from the General Fund of Orangeburg County the following:

(1) Eleven thousand dollars for the purchase of a lot on Carolina Avenue for hospital use; and

(2) Fifty thousand dollars for the construction of a new wing on the Orangeburg Regional Hospital.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 16th day of April, 1963.

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(R309, H1471)

**No. 628**

**A Joint Resolution Extending The Shad Season In The Edisto River And Santee River Above The Forty-Mile Limit Until Midnight, May 24, 1963, For Noncommercial Purposes.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Shad season in Edisto and Santee Rivers.**—Notwithstanding any other provision of law to the contrary, the shad season in the Edisto River and Santee River above the forty-mile

limit is extended until midnight, May 24, 1963, for noncommercial purposes.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1963.

(R443, H1730)

**No. 629**

**An Act To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1963, To June 30, 1964; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1963, and ending June 30, 1964, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1963-1964 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1. Maintenance of chain gang, purchase of material, equipment and expense of maintenance of roads, bridges, public works and operation of pipe plant .....\$190,000.00

---

Total, Roads and Bridges .....\$190,000.00

County Highway Commission:

- 4-A. Salary, Members of Highway Commission ....\$ 5,500.00
- 4-B. Salary, Clerk of Highway Commission ..... 3,960.00
- 4-C. Salary, County Attorney ..... 1,200.00

*Provided*, that the salary shall cover all services rendered the county except in actions in tort against the county.

*Provided*, further, that no other attorney shall be employed except with the approval of the county legislative delegation.

|  |          |
|--|----------|
| 4-D. Salary, County Director .....               | 8,400.00 |
| 4-E. Extra Clerical Help, Highway Commission ... | 1,500.00 |

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Total, County Highway Commission ..... \$ 20,560.00

County Treasurer:

|   |             |
|---|-------------|
| 10-A. County's portion, salary, County Treasurer ...  | \$ 3,352.00 |
| <i>Provided</i> , that the county shall pay so much as will make his salary from county and state total \$7,200.00. |             |

|   |          |
|---|----------|
| 10-B. Salary, Deputy, County Treasurer .....  | 5,500.00 |
| 10-C. Clerical Help, Treasurer's Office ..... | 3,000.00 |
| 10-D. Extra Help .....                        | 1,000.00 |

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Total, County Treasurer's Office ..... \$ 12,852.00

County Auditor:

|   |             |
|---|-------------|
| 15-A. County's portion, salary, County Auditor .....  | \$ 3,352.00 |
| <i>Provided</i> , that the county shall pay so much as will make his salary from the county and state total \$7,200.00. |             |

|  |          |
|--|----------|
| 15-B. Salary, Deputy Auditor .....             | 5,500.00 |
| 15-C. Clerical Help, Auditor's Office .....    | 5,130.38 |
| 15-D. Traveling expenses, County Auditor ..... | 100.00   |
| 15-E. Auditor's Equalization Fund .....        | 1,500.00 |

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Total, County Auditor ..... \$ 15,582.38

Clerk of Court:

|  |             |
|--|-------------|
| 25-A. Salary, Clerk of Court .....                   | \$ 7,200.00 |
| 25-B. Salary, Deputy Clerk of Court .....            | 5,500.00    |
| 25-C. Salary, Clerk, Clerk of Court .....            | 2,798.00    |
| 25-D. Recording Clerk in Office of Clerk of Court .. | 3,300.00    |

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Total, Clerk of Court ..... \$ 18,798.00

Education Department:

|  |           |
|--|-----------|
| 30-A. Superintendent of Education, office expense .. | \$ 600.00 |
| 30-B. Salary, Clerks to Superintendent of Education  | 5,596.00  |

|   |          |
|---|----------|
| 30-C. Supplement County Lunch Room Supervisor . . .   | 750.00   |
| 30-D. Superintendent of Education, County's portion<br>of salary . . . . .  | 2,390.50 |
| <i>Provided</i> , that only so much shall be paid as to<br>make a total salary from the county and state<br>of \$7,200.00.      |          |
| 30-E. Travel, Superintendent of Education . . . . .   | 630.00   |
| 30-F. Per diem and travel, members County Board<br>of Education . . . . .   | 4,000.00 |
| 30-G. Travel, Attendance Teacher . . . . .  | 400.00   |
| 30-H. Secretary to County Lunch Room Supervisor . . .   | 2,400.00 |
| 32-A. Eye treatment and glasses, needy school chil-<br>dren, to be spent under supervision of Attend-<br>ance Teacher . . . . . | 300.00   |

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Total, Education Department . . . . . \$17,066.50

## Library Department:

|  |             |
|--|-------------|
| 34-A. Salary, Librarian . . . . .  | \$ 3,600.00 |
| 34-B. Salary, Assistant Librarian . . . . .                              | 2,340.00    |
| 34-C. Salary, Assistant Librarian . . . . .                              | 2,000.00    |
| 34-D. Salary, Bookmobile Librarian . . . . .                             | 2,220.00    |
| 34-E. Salary, Bookmobile Driver (Part Time) . . . . .                    | 1,350.00    |
| 34-F. Salary, Desk Assistants (Main Library) . . . . .                   | 2,640.00    |
| 35-H. Salary, Librarian (Branch Library) . . . . .                       | 2,000.00    |
| 35-I. Salary, Assistant Librarian (Branch Library) . . .                 | 1,350.00    |
| 35-J. Salary, Bookmobile Driver (Branch Library—<br>Part Time) . . . . . | 900.00      |
| 35-K. Salary, Custodian Holly Hill Library . . . . .                     | 350.00      |
| 35-L. Salary, Custodian Elloree Library . . . . .                        | 350.00      |
| 35-M. Books and Periodicals . . . . .                                    | 2,500.00    |
| 35-N. Supplies and Binding Expense . . . . .                             | 1,000.00    |
| 35-O. Travel, Library Commission . . . . .                               | 250.00      |
| 35-P. Bookmobile operation expense . . . . .                             | 700.00      |
| 35-Q. Miscellaneous Expenses . . . . .                                   | 1,200.00    |
| 35-S. Travel, Librarian . . . . .  | 300.00      |
| 35-T. Salary Adjustments . . . . .                                       | 3,146.00    |

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Total, Library Department . . . . . \$ 28,196.00

*Provided*, that all funds appropriated herein for  
Item 30-A through 35-T are appropriated di-

rectly to the Orangeburg County Board of Education to be expended and disbursed by the board in accordance with the provisions of this act; *provided*, further, that any funds donated by the South Carolina Library Board shall be used for the purchase of books and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses; *provided*, further, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights, heating, repairs, post office box rent and association meetings and dues; *provided*, further, that the county director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance thereof; *provided*, further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided*, further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

## Tax Collector:

|   |             |
|---|-------------|
| 39-A. Salary, Tax Collector .....                 | \$ 6,050.00 |
| 39-B. Clerk and Bookkeeper to Tax Collector ..... | 3,000.00    |
| <hr/>   |             |
| Total, Tax Collector's Office .....               | \$ 9,050.00 |

## Law Enforcement:

|  |             |
|--|-------------|
| 40-A. Salary, Sheriff .....                  | \$ 7,200.00 |
| 40-B. Expense in and outside of county ..... | 2,100.00    |
| 40-C. Clerk .....                            | 3,000.00    |
| 43-A. Salary, Jailor .....                   | 2,798.00    |
| 43-B. Dieting Prisoners .....                | 12,000.00   |

*Provided*, that the Sheriff shall be allowed one dollar per day for dieting each prisoner; *provided*, however, that the day of admittance shall be excluded, and the day of discharge included in computing the number of prisoner days.

|  |           |
|--|-----------|
| 43-C. Jail equipment, repairs, heating and miscellaneous expense ..... | 4,000.00  |
| 46-B. Salary, ten deputies @ \$3,600.00 .....                          | 36,000.00 |
| 46-C. Salary, Chief Deputy Sheriff .....                               | 4,150.00  |
| 46-D. Travel, eleven Deputy Sheriffs @ \$2,760.00 ..                   | 30,360.00 |

*Provided*, that the County Treasurer is authorized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their custody between the time of their arrests and transfer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.

|  |          |
|--|----------|
| 46-E. Purchase of uniforms and Law Enforcement equipment ..... | 3,400.00 |
| 46-F. Radio Maintenance .....                                  | 3,600.00 |
| 46-G. Radio Operator .....                                     | 1,590.00 |
| 46-H. Miscellaneous Expense, Sheriff's Office .....            | 500.00   |
| 46-I. Substitute Jailer .....                                  | 520.00   |

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Total, Law Enforcement .....\$111,218.00

#### Judicial Department:

|                           |              |
|---------------------------|--------------|
| 50-A. Court Expense ..... | \$ 11,000.00 |
|---------------------------|--------------|

*Provided*, the court bailiffs shall receive five dollars per day; *provided*, the chief bailiff to be designated by the Sheriff shall receive six dollars per day. *Provided*, further, that ten dollars may be paid for each transcript of testimony at Coroner's inquests, upon the approval of the Coroner. *Provided*, further, that in the event any capital cases are appealed to the Supreme Court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.

|   |              |
|---|--------------|
| 50-B. County Audit, as contracted for by Orangeburg County Highway Commission, not to exceed .. | 1,500.00     |
| 53-B. Salary, County Judge .....  | 11,900.00    |
| 53-C. Salary, Stenographer for County Judge .....   | 4,400.00     |
| 53-D. Salary, Court Stenographer for county court work .....                                    | 1,000.00     |
| 53-E. Clerical help for Circuit Solicitor, to be drawn and disbursed by him .....               | 1,200.00     |
| 53-F. Travel, Probation Officer .....   | 480.00       |
| 54-A. Salary, Domestic Relations Court Judge (Part Time) .....                                  | 4,950.00     |
| 54-B. Salary, Stenographer, Domestic Relations Court .....                                      | 3,800.00     |
| 54-C. Salary, Probation Counselor, Domestic Relations Court .....                               | 5,830.00     |
| 54-D. Travel, Probation Counselor, Domestic Relations Court .....                               | 1,800.00     |
| 54-E. Law Library, County Judge .....   | 100.00       |
| 54-F. Miscellaneous Expense, Domestic Relations Court .....                                     | 600.00       |
| 54-G. Rent for office, J. M. Brailsford, Supreme Court Justice .....                            | 960.00       |
| 54-H. Clerical Help—Circuit Judge .....   | 1,200.00     |
| Total, Judicial Department .....  | \$ 50,720.00 |
| Probate Judge:  |              |
| 55-A. Salary, Judge of Probate .....  | \$ 7,200.00  |
| 55-B. Salary, Deputy Judge of Probate .....   | 4,400.00     |
| 55-C. Post Mortems and Lunancies .....  | 1,500.00     |
| Total, Judge of Probate .....   | \$ 13,100.00 |
| Magistrates (Part Time):  |              |
| 58-A. Salary, Magistrate at Orangeburg .....  | \$ 3,300.00  |
| 58-B. Stenographic service of Magistrate at Orangeburg .....                                    | 1,320.00     |
| 59-A. Salary, Magistrate at North .....   | 1,320.00     |
| 59-B. Salary, Magistrate at Branchville .....   | 1,320.00     |
| 59-C. Salary, Magistrate at Bowman .....  | 1,188.00     |
| 59-D. Salary, Magistrate at Holly Hill .....  | 1,320.00     |
| 59-E. Salary, Magistrate at Elloree .....   | 1,320.00     |
| 59-F. Salary, Magistrate at Springfield .....   | 1,188.00     |

|  |              |
|--|--------------|
| 59-G. Salary, Magistrate at Cope .....       | 1,320.00     |
| 59-H. Salary, Magistrate at Neeses .....     | 660.00       |
| 59-I. Salary, Magistrate at Norway .....     | 1,188.00     |
| 59-J. Salary, Magistrate at Eutawville ..... | 1,188.00     |
| <hr/>  |              |
| Total, Magistrates .....                     | \$ 16,632.00 |
| County Health Work .....                     | \$ 30,473.82 |
| 60-A. Rabies Control Officer .....           | 3,000.00     |
| <hr/>  |              |
| Total, County Health Work .....              | \$ 33,473.82 |

*Provided*, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation. Any unexpended funds remaining at the end of the fiscal year shall revert to the general fund of the county. *Provided*, further, the rabies control program shall be under the supervision and control of the county health officer.

Farm and Home Demonstration Department:

|  |          |
|--|----------|
| 65-A. Office Expense, Farm Demonstration Agent ..  | \$ 75.00 |
| 65-B. Salary Supplement, Farm Demonstration Agent Assistants (Part) .....                                  | 1,080.00 |
| 65-C. Supplementary Stenographic Service, Farm (\$900.00) and Home (\$1,200.00) Demonstration Agents ..... | 2,100.00 |
| 65-D. Salary Supplement, Home Demonstration Agent .....  | 280.00   |
| 65-D-1. Supplies for Home Demonstration Agent ...  | 75.00    |
| 65-D-2. Salary Supplement, Assistant Home Demonstration Agent .....  | 280.00   |
| 65-E. Salary Supplement, Farm Demonstration Agent .....  | 1,300.00 |
| 65-F. Boys' 4-H Club .....   | 100.00   |
| 65-G. Girls' 4-H Club .....  | 100.00   |
| 65-H. Home Demonstration Club Work .....   | 50.00    |
| 65-I. Salary Supplement, Negro Demonstration Agent (Part) .....  | 1,000.00 |
| 65-J. Salary and Expense, Assistant to Negro Farm Demonstration Agent .....                                | 3,080.00 |

|  |              |
|--|--------------|
| 65-K. Negro Home Demonstration Agent, Part Salary                  | 851.00       |
| 65-L. Expense, Negro Home Demonstration Agent ..                   | 180.00       |
| 65-M. Expense, Negro Farm Demonstration Agent ..                   | 240.00       |
| 65-N. Negro Fair Association .....                                 | 300.00       |
| 65-O. Negro Boys' 4-H Club .....                                   | 100.00       |
| 65-P. Stenographer, Negro Home and Farm Demonstration Agents ..... | 2,090.00     |
| 65-Q. Negro 4-H Girls' Club .....                                  | 100.00       |
| 65-R. New Home Makers' Club .....                                  | 100.00       |
| 65-S. Rent, Negro Farm and Home Demonstration Office .....         | 600.00       |
| <hr/>  |              |
| Total, Farm and Home Demonstration Department .....                | \$ 14,081.00 |

Social Service:

- 70-A. Relief for the needy under the supervision of Department of Public Welfare .....\$ 4,500.00  
Such sum to be advanced to County Welfare Department quarterly and, at the end of each quarter period, the county legislative delegation shall be furnished a statement showing how such money was spent.
- 70-B. Hospital Aid for Charity Patients ..... 30,000.00  
*Provided*, such sum of money shall be paid to the Orangeburg Hospital at Orangeburg in quarterly payments and, before such payments are made, the hospital shall furnish to the Orangeburg County Highway Commission a statement showing the number of charity patients treated, and the number of days such patients were treated during the preceding quarter, and not more than thirty per cent of the total appropriation shall be drawn for any one quarter of the fiscal year. *Provided*, further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in investigating the financial standing of any person applying for assistance under the provisions of this section. *Provided*,

further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.

|   |              |
|---|--------------|
| 70-C. County Welfare Department, Petty Cash .....   | 600.00       |
| 72-A. Salvation Army .....  | 600.00       |
| 73-A. Children's Nursery at Orangeburg .....  | 600.00       |
| 73-F. Colored Children's Work .....   | 180.00       |
| 73-H. Sunlight Club, for aid in county .....  | 600.00       |
| <hr/>   |              |
| Total, Social Service .....   | \$ 37,080.00 |
| Miscellaneous Expenses and Services:  |              |
| 75-A. Salary of Coroner (Part Time) .....   | \$ 726.00    |
| 75-B. Travel of Coroner @ \$25.00 per month .....   | 300.00       |
| 75-C. Payment of Coroner's juries at rate of two dollars for each member .....  | 400.00       |
| 75-D. Orangeburg County Planning and Development Commission .....   | 10,000.00    |
| <i>Provided, that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.</i> |              |
| 75-E. Salary, Service Officer .....   | 6,050.00     |
| <i>Provided, that his full time is given to the duties of his office.</i>   |              |
| 75-F. Stenographer for Service Officer .....  | 3,000.00     |
| 75-G. Expenses, Service Officer .....   | 1,800.00     |
| <i>Provided, that he be furnished an office in the courthouse.</i>  |              |
| 75-H. Salary, Members of Board of Registration ....   | 1,300.00     |
| <i>Provided, the chairman shall receive a salary of \$500.00 from county appropriation.</i>   |              |
| 75-I. Expense, Local South Carolina National Guard Units .....  | 500.00       |
| 75-J. Expense, Civil Defense .....  | 500.00       |
| <hr/>   |              |
| Total, Miscellaneous Expenses and Services ..   | \$ 24,576.00 |
| General Expense:  |              |
| 80-A. Stationery, Books, Office Supplies, Equipment, Printing, Postage and Advertising .....  | \$ 20,000.00 |

|  |           |
|--|-----------|
| 80-B. Insurance on Public Buildings .....  | 2,500.00  |
| 80-C. Premiums on Bonds of County Officials .....  | 1,050.00  |
| 80-D. Courthouse, Expenses, including fuel, utilities,<br>water, supplies, telephones, etc. ....         | 16,500.00 |
| 80-E. Part Time Clerical Help, Orangeburg Soil Con-<br>servation District .....                          | 1,000.00  |
| 80-H. Janitor Service, Courthouse .....  | 2,310.00  |
| 80-I. Janitors, Office Building .....  | 1,078.00  |
| 80-J. Janitors, County Health Center .....   | 1,650.00  |
| 80-K. To match funds of county officers and employees<br>for retirement purposes and Social Security ... | 25,000.00 |
| 80-L. Workmen's Compensation Coverage .....  | 3,000.00  |
| 80-N. To supplement funds, County Officers and Em-<br>ployees—Group Insurance .....                      | 7,200.00  |
| 80-T. Secretary to Delegation (salary) .....   | 300.00    |

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Total, General Expense .....\$ 81,588.00

Contingent Fund:

|  |              |
|--|--------------|
| 85-A. Contingent Expenses .....  | \$ 25,000.00 |
| <i>Provided</i> , that the expenditures from this item<br>shall be approved by the county legislative dele-<br>gation. |              |

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Total, Contingent Fund .....\$ 25,000.00

Transitory Expenditures:

|  |           |
|--|-----------|
| 90-G. For heat, water and expenses of curb market ..                     | \$ 180.00 |
| <i>Provided</i> , this amount shall be paid monthly to<br>the secretary. |           |

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Total, Transitory Expenses .....\$ 180.00

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TOTAL FOR OPERATING EXPENSES ..\$719,753.70

**SECTION 2.** The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant or warrants shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrants which exceed such

sums; *provided*, that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund.

**SECTION 3.** The sums hereinabove appropriated shall only be used if so much be necessary and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided*, that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of nine cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

**SECTION 4.** All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided*, that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided*, however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

**SECTION 5.** Wherever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

**SECTION 6.** No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned by Orangeburg County. The appropriation for Contingent Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under Items 30-F, 43-B, 43-C, 50-A, 55-C, 80-A, 80-D, 80-K and 80-L, in case the specific appropriations therefor shall be exhausted.

**SECTION 7.** Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

**SECTION 8.** The county service officers, the attendance teacher, each outside deputy sheriff, the county health director, the county forestry ranger and county rabies control officer shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

**SECTION 9.** Jurors in the Circuit and County Courts shall be paid a per diem of five dollars for each day of attendance upon any court session.

**SECTION 10.** Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County, and when any new employee enters the service of Orangeburg County, whether replacing an existing employee or filling a new position, the compensation or salary of such new employee shall be set by the legislative delegation.

**SECTION 11.** In anticipation of the collection of taxes herein provided for, the Treasurer of Orangeburg County, with the approval of the county legislative delegation, is authorized to borrow such sums as may be necessary to carry out the provisions of this act, and to pledge current taxes in payment thereof.

**SECTION 12.** If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

**SECTION 13.** This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

**An Act To Make Supplemental Appropriation For Public Purposes In Orangeburg County For The Fiscal Year Ending June 30, 1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby appropriated from the General Fund of Orangeburg County, to supplement appropriations for public purposes in the county for the fiscal year 1962-1963 under County Highway Commission an item to read as follows :

Salary increase for Maintenance Personnel . . . \$ 7,400.00

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1963.

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(R240, H1500)

**No. 631**

**An Act To Authorize The Board Of Trustees Of Pickens County School District A And The County Treasurer To Borrow A Sum Of Money For The Purpose Of Constructing A Press Box And Rest Room Facilities At Bruce Field And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Pickens County School District A may borrow money.**—The Board of Trustees of School District A and the County Treasurer of Pickens County are authorized to borrow, for the purpose of constructing a press box and rest room facilities at Bruce Field, a sum not exceeding three thousand five hundred dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District A and the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to

the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R278, H1576)

**No. 632**

**An Act To Make A Supplemental Appropriation From The General Fund Of Pickens County To Be Used For The Construction Of A Technical Education Center.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Pickens County appropriation for technical education center.**—There is hereby appropriated from the general fund of Pickens County the sum of one hundred twenty-five thousand dollars or so much thereof as may be necessary to be used as Pickens County's share for constructing a technical education center for Anderson, Oconee and Pickens Counties.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R286, H1514)

**No. 633**

**An Act To Create The George's Creek Watershed Conservation District In Pickens County; To Provide For The Election**

**Of Its Directors And To Define Their Powers And Duties; To Provide For A Tax Levy To Defray The Cost Of Organizing And Administering The District And For The Construction, Operation And Maintenance Of The Improvements To Be Provided Within The District; And To Provide For Various Elections.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. George's Creek Watershed Conservation District may be formed in Pickens County.**—Authority is hereby granted to form the George's Creek Watershed Conservation District in Pickens County for the purpose of developing and executing plans and programs relating to any phase of the control and prevention of soil erosion, flood prevention, or the conservation, development, utilization and disposal of water.

**SECTION 2. Area.**—The area embraced in the district must be contiguous and drain naturally into George's Creek. The area shall not include lands located within the boundary of any incorporated city or town, lands not included within a soil conservation district, or lands embraced in another watershed conservation district.

**SECTION 3. Formation petition.**—Formation of the district shall be initiated by the filing of a petition with the board of supervisors of the Pickens Soil Conservation District. The petition must be signed by twenty-five or more freeholders in the proposed district. If there are less than fifty landowners within the proposed district, then a majority of the landowners may file a petition with the board asking that a watershed conservation district be organized to function in the area described in the petition. The petition shall set forth and define the boundaries of the proposed district, the number of acres involved, reasons for requesting the creation of the district and any other information pertinent to the proposal.

**SECTION 4. Hearings on petition — inclusion of additional territory.**—(a) Within thirty days after the petition has been filed with the board of supervisors of the Pickens Soil Conservation District, it shall cause due notice to be given of a hearing upon the question of the desirability and necessity, in the interest of the public health, safety, and welfare, of the creation of the watershed conservation district. All interested parties shall have the right to attend the hearing and to be heard. If it shall appear at the hearing that other lands should be included in the petition or that lands included

in the petition should be excluded, the board of supervisors of the Pickens Soil Conservation District may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 2 of this act.

(b) If it appears upon the hearing that it may be desirable to include within the proposed watershed conservation district territory outside of the area within which due notice of the hearing has been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area considered for inclusion in the proposed watershed conservation district, and such further hearing shall be held. After final hearing, if the board of supervisors of the Pickens Soil Conservation District determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety, and welfare, for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination, and shall define the area but the description need not be given by metes and bounds, but the description shall be deemed sufficient if generally accurate and the approximate number of acres of land included in the proposed watershed conservation district is shown.

(c) If the board of supervisors of the Pickens Soil Conservation District determines after such hearing that there is no need for a watershed conservation district to function in the territory considered at the hearing, it shall make and record such determination and shall deny the petition.

**SECTION 5. Referendum concerning creation of district if determinations favorable—conduct of.**—After the board of supervisors of the Pickens Soil Conservation District has determined that there is need, in the interest of the public health, safety and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Section 9 of this act is administratively practicable and feasible. To assist the board of supervisors of the Pickens Soil Conservation District in this determination the board shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be by notice published at least twice with an interval of at least one week between the two

publication dates, in a publication of general circulation within the appropriate area, or, if no such publication of general circulation be available, notices shall be posted at a reasonable number of conspicuous places in the appropriate area. These notices shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally. Such notices shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The board of supervisors of the Pickens Soil Conservation District shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place, appoint necessary box managers and other election officials, and shall canvass the election and announce the results. Cost of holding the referendum shall be paid from the general fund of Pickens County.

**SECTION 6. Question and ballots.**—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the George’s Creek Watershed Conservation District”

“Against the creation of the George’s Creek Watershed Conservation District”

A square shall follow each proposition. The ballot shall also contain a direction to insert an “X” mark in the square following one or the other of the propositions, as the voter may favor or oppose creation of the district. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only owners of lands lying within the boundaries of the territory, as determined by the supervisors of the Pickens Soil Conservation District, shall be eligible to vote in the referendum. Qualified voters may vote by absentee ballot in such referendum under rules and regulations prescribed by the board of supervisors of the Pickens Soil Conservation District.

**SECTION 7. Certify results — create district if results favorable.**—The votes shall be counted by the referendum officials at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of the supervisors of the Pickens Soil Conservation District. Thereafter the board shall determine whether the operation of the watershed conservation district within the defined boundaries is administratively practicable and feasible. If the board determines that the operation of

such district is not administratively practicable and feasible, it shall record such determination and deny the petition. If the board determines that the operation of such district is administratively practicable and feasible, it shall record such determination and shall proceed with the organization of the district in the manner hereinafter set forth; *provided*, however, that the board shall not have authority to determine that the operation of such district is administratively practicable and feasible unless at least a two-thirds majority of the votes cast in the referendum upon the proposition of the creation of such district shall have been cast in favor of the creation of such district. If the board shall determine that the operation of such district is administratively practicable and feasible, it shall certify such determination to the Clerk of Court of Pickens County and to the Secretary of State. Upon this certification, the watershed conservation district shall constitute a governmental subdivision of this State and a public body, corporate and politic. After being recorded, such certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

**SECTION 8. Governed by board of directors—number—nominating petitions—election and conduct of—terms—officers.—**

(a) The governing body of the watershed conservation district shall consist of five directors, elected as provided herein.

(b) Within thirty days after the watershed conservation district has been created, nominating petitions may be filed with the board of supervisors of the Pickens Soil Conservation District to nominate candidates for directors of the watershed conservation district. No nominating petition shall be accepted by the board of supervisors unless it is signed by twenty-five or more landowners within the watershed conservation district, or, if less than fifty landowners are involved, by a majority of such landowners. If the candidates nominated do not exceed the number of directors to be chosen, the board of supervisors shall declare them to be elected. No person shall be eligible to be a director who is not a landowner in that portion of the watershed conservation district within the Pickens Soil Conservation District in which he seeks election.

(c) If the candidates nominated for directors of the watershed conservation district exceed the number of directors to be chosen, the board of supervisors of the Pickens Soil Conservation District shall, after having given due notice thereof, cause an election to be held within the watershed conservation district within a reasonable

time after the expiration of the thirty-day period for the election of five directors of the watershed conservation district. The provisions of this act as to notice, qualifications of voters, absentee voting, and the manner of holding the referendum in organizing a watershed conservation district, shall apply insofar as practicable to the election of the directors. The names of all nominees on behalf of whom nominating petitions have been filed as hereinabove provided shall be printed, arranged in alphabetical order of their surnames, upon ballots with a square before each name and a direction to insert an "X" mark in the square before any five names to indicate the voter's preference. All landowners within the watershed conservation district shall be eligible to vote in the election. Only landowners shall be eligible to vote. The five candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected directors of the watershed conservation district. The five elected directors shall, under the supervision of the board of supervisors of the Pickens Soil Conservation District, be the governing body of the watershed conservation district.

(d) Of the directors first elected, the two receiving the largest number of votes shall serve for terms of four years, the two receiving the next largest number of votes shall serve for terms of three years, and the one receiving the next largest number of votes shall serve for a term of two years. The term of office of each of their successors shall be four years.

(e) The directors shall annually designate from among their number a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office, to be approved by the directors. Such bond shall be executed by a surety company authorized to do business in this State and shall be in an amount determined by the directors. The premium on such bond shall be paid by the watershed conservation district.

**SECTION 9. Powers and duties.**—The watershed conservation district shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district and the directors thereof shall, subject to the approval of the board of supervisors of the Pickens Soil Conservation District, have the following powers, in addition to others granted in other sections of this act:

(a) To acquire, by purchase, exchange, lease, gift, grant, bequest, devise, or otherwise, or through condemnation proceedings in the

manner provided in Chapter 2 of Title 25, Code of Laws of 1962, such lands, easements, or rights-of-way as are needed to carry out any authorized purpose of the watershed conservation district. *Provided*, however, there shall be no rights of eminent domain unless at least seventy-five per cent of the required easements, rights-of-way and permits for any one flood water retarding structure or unit of structures or unit of stream channel improvements have been acquired by the watershed conservation district; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act;

(b) To construct, reconstruct, repair, enlarge, improve, operate and maintain such works of improvement as may be necessary or convenient for the performance of any of the operations authorized by this act;

(c) To borrow money and to execute promissory notes and other evidences of debt in connection therewith for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of the district, and if promissory notes are issued, to execute such mortgages on any property owned by the district or assign or pledge such revenues or assessments of the district as may be required by the lender as security for the repayment of the loan; and to issue, negotiate, and sell its bonds as provided in Section 10 of this act;

(d) To levy an annual tax on the real property within the district subject to the limitations as provided in Section 12 of this act for payment of the costs and expenses of organizing the watershed conservation district or for carrying out any authorized purpose of such district. Such levy shall be made only after approval by the board of supervisors of the Pickens Soil Conservation District, by notifying the county auditor.

**SECTION 10. Issuance of bonds—referendum.**—(a) Bonds authorized by Section 9 of this act shall not be issued until proposed by order or resolution of the directors of the watershed conservation district, specifying the purpose for which the funds are to be used and the proposed undertaking, the amount of bonds to be issued, the rate of interest they are to bear, and the amount of any necessary tax levy in excess of the maximum authorized in Section 12 of this act. A copy of the order or resolution shall be certified to the board of supervisors of the Pickens Soil Conservation District.

(b) The board of supervisors of the Pickens Soil Conservation District shall hold a hearing on such proposal after having given

due notice. If it appears that the proposal is within the scope and purpose of this act and meets all other requirements of the law, the proposal shall be submitted to the landowners of the district by a referendum held by the board of supervisors.

(c) The same provisions as to notice, qualification of voters, absentee voting, and manner of holding the referendum in organizing a watershed conservation district shall apply to the referendum held under this section.

(d) If two-thirds of the votes cast in the referendum favor the proposal, the directors shall, with the approval of the board of supervisors, be authorized to issue the bonds.

**SECTION 11. Compensation.**—The directors of the watershed conservation district shall receive no compensation for their services, but they may be reimbursed for expenses, including traveling expenses, necessarily incurred in the performance of their duties, as approved by the board of supervisors of the Pickens Soil Conservation District.

**SECTION 12. Budget—tax levy.**—Within the first quarter of each calendar year, the directors of the watershed conservation district shall prepare an itemized budget of the funds needed for administration of the watershed conservation district and for construction, operation and maintenance of works of improvement. After approval of such budget by the board of supervisors of the soil conservation district, the county auditor shall levy a tax sufficient to meet such budget on all real property within the watershed conservation district of not to exceed five mills on each dollar of assessed valuation, except that this limitation shall not apply to any levy necessary to provide a sinking fund for the retirement of bonds authorized by Section 10 of this act. A copy of the budget shall be certified to the Auditor of Pickens County.

**SECTION 13. Computation of tax.**—(a) The directors of the watershed conservation district with the assistance of the county auditor shall prepare a list of the landowners involved, showing the number of acres subject to assessment.

(b) When the property tax rolls are delivered to the county treasurer by the auditor, as required by law, the treasurer shall compute the tax due the watershed conservation district from each landowner in accordance with the rate fixed by the directors and the value of the real property indicated on the tax roll. The computation shall be made on the regular tax bills.

**SECTION 14. Collection of taxes.**—(a) The county treasurer shall collect the taxes due the watershed conservation district at the same time and in the same manner as he collects other taxes of the county.

(b) Such taxes shall be subject to the same due and delinquency dates, discounts, penalties and interest as are applied to the collection of county taxes.

**SECTION 15. Proceeds.**—Tax funds collected shall be transferred to and held by the treasurer of the watershed conservation district for the specific purpose for which they have been collected. All expenditures of the funds shall be made by the directors of the watershed conservation district with the approval of the board of supervisors of the Pickens Soil Conservation District.

**SECTION 16. Petition to have lands detached.**—The owner or owners of lands which have not been, are not and cannot be benefited by their inclusion in the watershed conservation district may petition the board of supervisors of the Pickens Soil Conservation District to have such lands detached. The petition shall describe the lands and state the reasons why they should be detached. A hearing shall be held by the board of supervisors within thirty days after the petition is filed. Due notice of such hearing shall be given by the board of supervisors of the Pickens Soil Conservation District. If it is determined by the board of supervisors that the lands should be detached, its determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee.

**SECTION 17. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.**—(a) At any time after five years after the organization of the watershed conservation district, twenty-five or more landowners within the district, or if less than fifty landowners are involved, a majority of the landowners, may file a petition with the board of supervisors of the Pickens Soil Conservation District asking that the existence of the watershed conservation district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the watershed conservation district have been met. The board of supervisors may conduct such hearings upon the petition as may be necessary to assist it in the consideration thereof.

(b) Within sixty days after the petition has been filed with the board of supervisors it shall give due notice of the holding of a referendum. The board of supervisors shall hold such referendum substantially as provided in Section 10 of this act. The question shall be submitted by ballots upon which the words "For terminating the existence of the George's Creek Watershed Conservation District" and "Against terminating the existence of the George's Creek Watershed Conservation District" shall be printed, with a square before each proposition and a direction to insert an "X" mark in the square before one or the other of the propositions as the voter may favor or oppose the discontinuance of the watershed conservation district. All landowners within the watershed conservation district shall be eligible to vote in the referendum. Only landowners shall be eligible to vote. No informality in the conduct of the referendum or in any matters relating thereto shall invalidate the referendum or the results thereof, if notice thereof shall have been given substantially as herein provided and the referendum shall have been fairly conducted.

(c) The board of supervisors shall publish the results of the referendum and shall thereafter determine whether the continued operation of the watershed conservation district is administratively practicable and feasible. If the board of supervisors determines that the continued operation of the watershed conservation district is administratively practicable and feasible, it shall record such determination and deny the petition. If the board of supervisors determines that the continued operation of the watershed conservation district is not administratively practicable and feasible, it shall record such determination and shall certify its determination to the directors of the watershed conservation district; *provided*, the board of supervisors shall not be authorized to determine that the continued operation of the watershed conservation district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continuance of the watershed conservation district.

(d) Upon receipt from the board of supervisors of a certification that it has determined that the continued operation of the watershed conservation district is not administratively practicable and feasible, the directors shall forthwith proceed to terminate the affairs of the watershed conservation district. A copy of the determination shall be certified to the Auditor of Pickens County for recording. After being recorded, the certification shall be filed with the State Soil Conservation Committee and the Secretary of State.

**SECTION 18. Supervisory authority if soil conservation district discontinued.**—If the Pickens Soil Conservation District in which the watershed conservation district is situated is discontinued, all supervisory authority over the affairs of the watershed conservation district which was previously exercised by the board of supervisors of such Pickens Soil Conservation District shall thereafter be exercised by the governing body of Pickens County.

**SECTION 19. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R405, H1737)

**No. 634**

**An Act To Authorize The Board Of Trustees Of Pickens County School District A And The County Treasurer To Borrow A Sum Of Money For The Purpose Of Constructing A Press Box And Rest Room Facilities At The Daniel High School Athletic Field And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. School District A of Pickens County may borrow money.**—The Board of Trustees of School District A and the County Treasurer of Pickens County are authorized to borrow, for the purpose of constructing a press box and rest room facilities at the Daniel High School athletic field, a sum not exceeding three thousand five hundred dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District A and the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the district sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to

the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the district are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the district, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R416, H1756)

**No. 635**

**An Act To Authorize And Empower The Pickens County Finance Board To Borrow Not Exceeding One Hundred Twenty-Five Thousand Dollars To Be Used As Pickens County's Share For Constructing A Technical Education Center For Anderson, Oconee And Pickens Counties.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Pickens County may borrow money for technical education center.**—The Pickens County Finance Board is hereby authorized and empowered to borrow a sum not exceeding one hundred twenty-five thousand dollars from any bank, other financial institution or other agency it may select to be used as Pickens County's share for constructing a technical education center for Anderson, Oconee and Pickens Counties. The amount borrowed shall be evidenced by a note to be executed jointly by the county supervisor, county treasurer and county superintendent of education. Such note shall bear interest at the best available rate, not to exceed three and one-half per cent per annum from the date thereof, the interest to be paid semiannually on June thirtieth and December thirty-first. Such note shall mature upon such date as the Pickens County Finance Board shall determine but not later than ten years from

the date of issue. The full faith, credit and taxing power of Pickens County is hereby irrevocably pledged to the repayment of the interest and principal of the note issued hereunder.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R423, H1577)

**No. 636**

**An Act To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Direct The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of so many mills as is necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1963, and ending June 30, 1964, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided*, the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and Bridges, Cross-County Roads, etc.:

A. Maintenance, Roads and Bridges and County  
Farm .....\$242,000.00

*Provided*, that not more than \$35,000.00 of the above sum shall be expended within the incorporated municipalities upon recommendation of the Pickens County Municipal Association and approval of a majority of the legislative delegation. *Provided*, further, that not to exceed

\$40,000.00 of the above sum may be expended prior to July 1, 1963, upon the approval of a majority of the legislative delegation. *Provided*, further, that when this appropriation is expended no additional funds will be available until July 1, 1964.

- B. New machinery to be purchased on prior written approval of a majority of the Pickens County Legislative Delegation ..... 25,000.00
- C. No money, labor or material shall be expended, performed or used by Pickens County in the construction or improvement of any street or road in any subdivision, or property to be subdivided, owned by any person, firm or corporation until the requirements and rules promulgated or to be promulgated by the Pickens County Board of Commissioners are complied with; such compliance shall be a condition precedent before such money, labor or material is expended, performed or used.

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Total, Item 1 ..... \$267,000.00

Item 2. County Officers, Salaries and Expenses:

- A. Clerk of Court ..... \$ 6,000.00
- A-1. Deputy Clerk of Court ..... 3,600.00
- A-2. Clerk ..... 3,100.00
- A-3. Assistant Clerk ..... 2,400.00
- B. Supervisor's Salary ..... 6,000.00
- Provided*, the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.
- B-1. Clerk to Supervisor and County Commissioners 4,000.00
- B-2. Assistant Clerk ..... 3,000.00
- C. Two County Commissioners ..... 4,000.00
- D. Coroner ..... 1,334.00
- D-1. Travel for Coroner ..... 240.00
- E. County Attorney ..... 1,000.00
- F. County Physician ..... 1,000.00
- G. County Auditor ..... 2,502.00

*Provided*, the salary of the County Auditor shall not exceed the sum of \$6,000.00.

|  |          |
|--|----------|
| G-1. Clerk for Auditor .....           | 3,100.00 |
| G-2. Assistant Clerk for Auditor ..... | 2,640.00 |
| G-3. Mileage for Auditor .....         | 400.00   |
| H. County Treasurer .....              | 2,502.00 |

*Provided*, the salary of the County Treasurer shall not exceed the sum of \$6,000.00.

*Provided*, further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.

|                                |           |
|--------------------------------|-----------|
| H-1. Clerk for Treasurer ..... | 3,600.00  |
| H-2. Assistant Clerk .....     | 2,640.00  |
| I. County Sheriff .....        | 6,000.00  |
| I-1. Ten Deputy Sheriffs ..... | 41,052.00 |

*Provided*, the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff. *Provided*, further, that the sheriff shall provide police protection for Pickens County twenty-four hours per day; such protection to be evidenced by deputies on active duty for such period through assignment by the sheriff.

|   |          |
|---|----------|
| I-2. Travel expenses for Sheriff and Deputies ..... | 9,300.00 |
|---|----------|

*Provided*, gasoline shall be furnished by the county.

|  |          |
|--|----------|
| I-3. Maintenance—Sheriff's Department .....  | 6,000.00 |
| I-4. Uniforms for Sheriff and Deputies ..... | 2,400.00 |

*Provided*, uniforms shall be purchased from the Pickens County firm offering the lowest bid price; *provided*, further, such bids shall be taken and contract awarded annually by the Board of Commissioners prior to expenditure of this appropriation.

|   |  |
|---|--|
| I-5. Five mill deputies at \$55.00 per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may |  |
|---|--|

|   |              |
|---|--------------|
| be able to perform within the limits of the compensation they shall receive hereinabove . . . . .   | 3,300.00     |
| I-6. Maintenance of Radio System for Sheriff's Department . . . . .   | 750.00       |
| J. Probate Judge . . . . .  | 6,000.00     |
| J-1. Clerical Help . . . . .  | 3,100.00     |
| K. Tax Collector . . . . .  | 3,800.00     |
| K-1. Clerical Help for Tax Collector . . . . .  | 2,400.00     |
| K-2. Mileage for Tax Collector . . . . .  | 550.00       |
| L. Service Officer . . . . .  | 4,800.00     |
| L-1. Secretary . . . . .  | 2,640.00     |
| L-2. Travel . . . . .   | 1,200.00     |
| N. Magistrates:   |              |
| N-1. Easley . . . . .   | 3,600.00     |
| N-2. Pickens . . . . .  | 2,668.00     |
| N-3. Liberty . . . . .  | 2,183.00     |
| N-4. Central . . . . .  | 2,183.00     |
| N-5. Six Mile . . . . .   | 660.00       |
| N-6. Magistrates' Constables, Salaries:   |              |
| (a) Liberty . . . . .   | 610.00       |
| (b) Central . . . . .   | 430.00       |
| (c) Easley . . . . .  | 2,400.00     |
| <i>Provided, the Easley Constable shall devote full time to the duties of this office.</i>  |              |
| N-7. Magistrates' Constables—Fees and Mileage . . .   | 1,200.00     |
| O. Caretaker, County Home . . . . .   | 3,434.00     |
| O-1. Travel, County Home Caretaker . . . . .  | 150.00       |
| <i>Provided, County Home Caretaker shall receive nine cents per mile actually traveled in the scope of his employment to be paid by Board of Commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.</i> |              |
| O-2. Cook for County Home . . . . .   | 1,200.00     |
| Total, Item 2 . . . . .   | \$167,068.00 |
| Item 3. County Boards:  |              |
| A. Board of Equalization . . . . .  | \$ 500.00    |
| B. Board of Registration . . . . .  | 500.00       |
| Total, Item 3 . . . . .   | \$ 1,000.00  |

## Item 4. Court Expenses, Jurors, Witnesses, etc.:

|                               |             |
|-------------------------------|-------------|
| A. Jurors and Witnesses ..... | \$ 8,000.00 |
|-------------------------------|-------------|

*Provided*, the Clerk of Court shall select not more than three qualified bailiffs to be in attendance at terms of Court of General Sessions and Common Pleas.

|   |        |
|---|--------|
| B. Expense, Stenographer, 13th Judicial Circuit.. | 310.00 |
|---|--------|

|   |        |
|---|--------|
| B-1. Travel Expense, Solicitor, 13th Judicial Circuit | 310.00 |
|---|--------|

|   |        |
|---|--------|
| B-2. Expense, Secretary to Resident Judge ..... | 310.00 |
|---|--------|

|  |        |
|--|--------|
| C. Post Mortems, Inquests and Lunacies ..... | 800.00 |
|--|--------|

|  |       |
|--|-------|
| D. Jurors for Coroner's Inquests ..... | 50.00 |
|--|-------|

|                                   |        |
|-----------------------------------|--------|
| E. Stenographer at Inquests ..... | 150.00 |
|-----------------------------------|--------|

|                     |             |
|---------------------|-------------|
| Total, Item 4 ..... | \$ 9,930.00 |
|---------------------|-------------|

## Item 5. County Home and Feeding Prisoners:

|                      |             |
|----------------------|-------------|
| A. County Jail ..... | \$ 5,000.00 |
|----------------------|-------------|

|                      |          |
|----------------------|----------|
| B. County Home ..... | 6,000.00 |
|----------------------|----------|

|                                 |        |
|---------------------------------|--------|
| C. Transporting Prisoners ..... | 450.00 |
|---------------------------------|--------|

|                     |              |
|---------------------|--------------|
| Total, Item 5 ..... | \$ 11,450.00 |
|---------------------|--------------|

## Item 6. Public Buildings:

|                                      |             |
|--------------------------------------|-------------|
| A. Water, Lights and Insurance ..... | \$ 9,000.00 |
|--------------------------------------|-------------|

*Provided*, insurance against liability by reason of explosion of boilers in various county buildings and insurance against liability on county vehicles shall be purchased.

|                                  |          |
|----------------------------------|----------|
| B. Telephone and Telegraph ..... | 7,000.00 |
|----------------------------------|----------|

|               |          |
|---------------|----------|
| C. Fuel ..... | 2,500.00 |
|---------------|----------|

|                                       |          |
|---------------------------------------|----------|
| D. Janitor Service and Supplies ..... | 5,000.00 |
|---------------------------------------|----------|

*Provided*, the Board of Commissioners shall employ such person or persons as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.

|   |           |
|---|-----------|
| E. Printing, Postage and Stationery ..... | 12,000.00 |
|---|-----------|

|                                      |          |
|--------------------------------------|----------|
| F. Repairs on Public Buildings ..... | 2,000.00 |
|--------------------------------------|----------|

|                     |              |
|---------------------|--------------|
| Total, Item 6 ..... | \$ 37,500.00 |
|---------------------|--------------|

## Item 7. Miscellaneous:

|  |           |
|--|-----------|
| A. Bond Premium, County Officers ..... | \$ 850.00 |
|--|-----------|

|                         |           |
|-------------------------|-----------|
| B. County Library ..... | 21,500.00 |
|-------------------------|-----------|

|   |              |
|---|--------------|
| C. Compensation insurance premium .....   | 2,800.00     |
| D. Annual Audit of County Books .....   | 2,500.00     |
| E. Contingent Fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation .....   | 10,000.00    |
| <i>Provided, the Pickens County Rabies Control Program shall be paid from this item. Provided, further, that said program is under the supervision of the Pickens County Board of Health.</i> |              |
| F. County's part, Employees' Retirement Fund ..   | 15,000.00    |
| G. Mileage, Pickens County Fire Control Wardens (three @ \$30.00 per month each) .....  | 1,080.00     |
| H. Adult Education Program .....  | 2,000.00     |
| <i>Provided, that such program shall be approved by the Pickens County Legislative Delegation.</i>  |              |
| I. Maintenance of Watershed Projects .....  | 1,000.00     |
| <hr/>   |              |
| Total, Item 7 .....   | \$ 56,730.00 |

## Item 8. Farm Demonstration:

|  |             |
|--|-------------|
| A. 4-H Club, Boys .....  | \$ 200.00   |
| B. 4-H Club, Girls .....   | 200.00      |
| C. F. F. A. ....   | 200.00      |
| D. Supplies for Home Agent .....   | 100.00      |
| E. Clerical Help for County Agent's Office .....   | 500.00      |
| F. Supplement to Salary of County Farm Agent ..  | 350.00      |
| G. Supplement to Salary of Assistant County Farm Agent .....   | 250.00      |
| G-1. Supplement to Salary of Assistant County Farm Agent .....   | 250.00      |
| H. Supplement to Salary of County Home Demonstration Agent .....   | 250.00      |
| I. Supplement to Salary of Assistant County Home Demonstration Agent .....   | 250.00      |
| <i>Provided, that the sums appropriated in sub-items F., G., G-1, H and I shall be paid in equal quarterly payments.</i> |             |
| <hr/>  |             |
| Total, Item 8 .....  | \$ 2,550.00 |

## Item 9. Pickens County Department of Public Welfare:

|   |             |
|---|-------------|
| A. Emergency Relief (to prospective clients) .... | \$ 3,000.00 |
| B. Child Welfare (mileage) .....                  | 1,188.00    |

|   |              |
|---|--------------|
| C. Foster Board Care .....  | 800.00       |
| D. Special Services (Lunches for Child Welfare and other clients when taken out of county on all-day trips) .....   | 200.00       |
| E. Pickens County Board of Public Welfare, at \$200.00 per annum per member .....   | 600.00       |
| <i>Provided</i> , that the amount in Item 9A hereinabove shall be spent in accordance with written regulations promulgated by the Pickens County Board of Public Welfare.   |              |
| F. General Fund .....   | 500.00       |
| G. Administration (medical assistance to the aged) .....  | 1,200.00     |
| <hr/>   |              |
| Total, Item 9 .....   | \$ 7,488.00  |
| Item 10. Pickens County Health Department:  |              |
| A. Burial of Paupers .....  | \$ 600.00    |
| B. Pickens County Health Unit .....   | 24,000.00    |
| <i>Provided</i> , that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the County Health Unit, shall be in accordance with a budget filed with and approved in advance of such expenditures by a majority of the Pickens County Legislative Delegation. |              |
| C. Mental Health Clinic .....   | 4,000.00     |
| <hr/>   |              |
| Total, Item 10 .....  | \$ 28,600.00 |
| Item 11. National Defense:  |              |
| A. Easley Unit .....  | \$ 1,300.00  |
| B. Clemson Unit .....   | 300.00       |
| Civil Defense .....   | 3,000.00     |
| <i>Provided</i> , that the above amount shall be expended only on the approval of a majority of the county legislative delegation.  |              |
| <hr/>   |              |
| Total, Item 11 .....  | \$ 4,600.00  |
| Item 12. County Cooperative Breeding Association .....  |              |
| <i>Provided</i> , that not to exceed \$150.00 per month shall be paid from this appropriation by the  |              |

county treasurer on an itemized statement of the officers of the association.

|   |              |
|---|--------------|
| Total, Item 12 .....  | \$ 1,800.00  |
| Item 13. Pickens County Charity Hospital Funds .....  | \$ 22,000.00 |
| <i>Provided</i> , that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the County Board of Commissioners. <i>Provided</i> , further, that the above sum shall be regulated, supervised and administered by the Pickens County Board of Public Welfare. <i>Provided</i> , further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended. |              |
| 13-A. Reimbursement to the County General Fund for moneys withheld under Act 393 of 1961 for charity hospitalization .....  | 23,015.00    |
| Total, Item 13 .....  | \$ 45,015.00 |
| Item 14. Technical Education Center .....   | \$ 6,000.00  |
| Total, Item 14 .....  | \$ 6,000.00  |
| GRAND TOTAL .....   | \$646,731.00 |
| Less Estimated Revenues—Other than Taxes:   |              |
| Magistrates—Fines and Fees .....  | \$ 60,000.00 |
| From the Probate Judge .....  | 2,000.00     |
| From the Clerk of Court .....   | 40,000.00    |
| From the County Supervisor .....  | 10,000.00    |
| From the Sheriff .....  | 1,000.00     |
| From the Tax Collector .....  | 20,000.00    |
| From the Wine and Beer Tax .....  | 10,000.00    |
| Liquor Tax .....  | 35,000.00    |
| Gas Tax .....   | 175,000.00   |
| Income Tax .....  | 50,000.00    |

|  |                     |
|--|---------------------|
| From Insurance License Fees .....            | 20,000.00           |
| Tax from Banks .....                         | 6,000.00            |
| State Contribution for Service Officer ..... | 4,815.00            |
| Total .....                                  | <u>\$433,815.00</u> |
| Total amount to be raised by taxes .....     | \$212,916.00        |

**SECTION 2.** The county board of commissioners is hereby authorized and directed to publish quarterly statements in the three Pickens County newspapers. They shall publish only the amount appropriated and the unexpended balance of each item.

**SECTION 3.** No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties.

**SECTION 4.** Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Legislative Delegation, and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1963-64.

**SECTION 5.** The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby authorized and empowered to increase the general levy above provided to meet the appropriations made.

**SECTION 6.** There is hereby levied four mills for interest and a sinking fund on county bonds.

**SECTION 7.** Magistrates' constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships. The duties of magistrates' constables at Pickens and Six Mile shall be performed by the sheriff and his deputies.

**SECTION 8.** The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to

operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

**SECTION 9.** The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each member of the county board of education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

**SECTION 10.** Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in writing by a majority of the legislative delegation, and filed with the county board of commissioners.

**SECTION 11.** All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and thereby avoid violation of Section 14-315 of the 1962 Code.

**SECTION 12.** A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

**SECTION 13.** The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations to the magistrate

or circuit court having jurisdiction of the cases involving these persons.

**SECTION 14.** When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, materials, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

**SECTION 15.** No salary shall be paid under the provisions of this act until such employee as affected, shall have complied with all requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

**SECTION 16.** The beginning salary for full-time clerical help employed under the provisions of this act shall be two thousand four hundred dollars. However, such employee shall not participate in any general pay raise until such employee shall have worked for a period of at least one year immediately preceding the effective date of such pay raise.

**SECTION 17.** This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R252, H1495)

**No. 637**

**An Act To Amend Act No. 1207 Of 1962, Relating To The Borrowing Of Money For The Establishment Of The Richland County Technical Education Training Center, So As To Reduce The Amount Which May Be Borrowed And The Number Of Installments For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 1207 of 1962 amended—Richland County may borrow money for technical education center.**—Section 1 of Act No. 1207 of 1962 is amended by striking on line four the

word "six" and inserting in lieu thereof the word "five." Section 1 is further amended by adding between the words "hundred" and "thousand" on line four the word "fifty". Section 1 is further amended by striking on line nine the word "ten" and inserting in lieu thereof the word "five". When so amended, the section shall read as follows:

"Section 1. The Treasurer of Richland County is hereby authorized, upon approval by a majority of the county legislative delegation, including the Senator, to borrow for the establishment of a technical training center a sum not exceeding five hundred fifty thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note or notes to be executed by the Treasurer of Richland County. The note or notes shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal annual instalments. *Provided*, the borrower reserves the right to anticipate the payment of part or all of the loan on any annual instalment date."

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of April, 1963.

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(R285, H1505)

**No. 638**

**An Act To Authorize The Board Of Trustees Of School District No. 5 In Richland County To Borrow One Hundred Twenty-Five Thousand Dollars For School Purposes And To Provide For The Payment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Richland County School District 5 may borrow money.**—The Board of Trustees of School District No. 5 and the Treasurer of Richland County are authorized to borrow for school purposes a sum not exceeding one hundred twenty-five thousand dollars from the Division of Sinking Funds and Property. The amount borrowed shall be evidenced by a note to be executed by the Chairman of the Board of Trustees of School District No. 5 and the treasurer of the county. The note shall bear interest at four per cent per annum from the date thereof and shall be payable in five successive, equal, annual instalments. The first instalment shall be paid

twelve months from the date of the note. *Provided*, the borrowers reserve the right to anticipate the payment of part or all of the loan on any annual instalment date.

**SECTION 2. Payment.**—For the payment of the note, the auditor shall levy and the treasurer shall collect an annual tax on all the taxable property of the county sufficient to retire the loan and interest due thereon, and the entire proceeds of such levy shall be applied to the payment of the note, inclusive of the interest in full, at which date the levy provided herein shall be terminated.

The full faith, credit and taxing power of the county are hereby irrevocably pledged to the payment of the indebtedness provided for in this act.

**SECTION 3. Payment further.**—Should there be default in the payment of any instalment, the State Treasurer is directed to withhold all State funds accruing to the county, which have not heretofore been pledged, for the payment of such instalment and shall transmit the funds so withheld to the Division of Sinking Funds and Property.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R304, H1595)

No. 639

**An Act To Authorize The Board Of Trustees Of School District No. 5, Richland County, To Issue General Obligation Bonds Of School District No. 5, Richland County, In An Amount Not Exceeding Two Hundred Fifty Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which The Bonds May Be Issued and their Proceeds Expended; And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that school facilities are required in School District No. 5, Richland County, and that immediate steps should be taken to authorize them, and the issuance of bonds to finance the cost thereof is required.

**SECTION 2. Richland County School District 5 may issue bonds.**—The Board of Trustees of School District No. 5, Richland County (hereafter called the "Board") is hereby authorized and empowered to issue general obligation bonds of School District No. 5, Richland County, in the principal amount of not exceeding two hundred fifty thousand dollars, and to apply the proceeds of such bonds to the purposes specified in this act.

**SECTION 3. Proceeds.**—The proceeds derived from the sale of the bonds shall be deposited with the County Treasurer of Richland County, and paid out by the county treasurer upon the warrant or order of the Board for the following purposes:

(a) So much as shall be necessary shall be applied to pay the costs incurred in the issuance of these bonds.

(b) The remaining moneys shall be used to pay the cost of constructing and equipping school buildings in the school district, and, in connection with such authorization, the Board may purchase land as a site for any school building to be constructed with the proceeds if a site therefor shall become necessary.

**SECTION 4. Issue—maturity—redemption—interest—dates.**—The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the Board, except that the maturity date of the last installment shall fall due not later than twenty-five years from the date the bonds bear, and the first maturity date may be postponed five years from the date the bonds bear. Any bond issued pursuant to this act may at the discretion of the Board, contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the Board shall prescribe. The bonds shall bear such rate or rates of interest as the Board may determine, payable on such occasions as the Board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Board may prescribe. They shall bear such date or dates and be payable at such place or places as the Board may likewise prescribe.

**SECTION 5. Execution.**—The bonds and the interest coupons thereunto attached shall be executed in such manner as the Board shall prescribe.

**SECTION 6. Sale.**—The bonds shall be sold by the Board at not less than par and accrued interest to the date of their respective deliveries, at public sale or private sale, and if a public sale be undertaken at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

**SECTION 7. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 8. Payment.**—For the payment of all bonds issued pursuant to this act, both principal and interest, as they shall respectively mature, the full faith, credit, resources and taxing power of School District No. 5, Richland County, shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Richland County, respectively, an ad valorem tax upon all taxable property in the school district, without limitation as to rate or amount, sufficient to pay the interest on such bonds and the bonds as they respectively mature. The taxes, when so levied and collected, shall be held by the Treasurer of Richland County, separate and distinct from all other funds, and used solely for the purposes for which levied and collected.

**SECTION 9. Action may be taken at any board meeting.**—Any action required of the Board may be taken at any meeting of the Board, regular or special, and at such meeting a majority of the members of the Board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the Board by the provisions of this act.

**SECTION 10. Repeal.**—All acts or parts of acts inconsistent herewith are repealed.

**SECTION 11. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 2nd day of May, 1963.

(R407, H1751)

**No. 640****An Act To Authorize The Richland County Board Of Commissioners To Convey Property To The Board Of School Commissioners Of School District No. 1, Richland County.**

Whereas, Robert M. Cross conveyed a right-of-way for road purposes to the Richland County Board of Commissioners according to Deed Book 304, at page 168, a portion of "Riverside Circle" in the western part of a development shown in Plat Book S, at page 28 and Plat Book S, at page 47, and since Robert M. Cross is now closing the development and wishes to convey the property to the Board of School Commissioners of School District No. 1; and

Whereas, there are no dwellings along such portion of the street; and

Whereas, Riverside Circle also enters through the eastern portion of the land development, as shown on the plat, and a release is being obtained from all persons owning an interest in the development. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Richland County may convey property to School District 1.**—The Richland County Board of Commissioners is authorized to convey all of its right, title and interest, and release unto the Board of School Commissioners of School District No. 1 the following described property:

Bounded on the north by the intersection of Riverside Circle with Riverside Circle in an imaginary line from the stakes shown on said plat from the northern portion of Lot 18 to the eastern portion of Lot 10 at its angle as shown on said plat; on the east by Lot 18, Lot 17, Lot 16 and Lot 23; on the South by Omarest Drive and on the west by the southern portion of the eastern boundary of Lot 10, measuring thereon Sixty and five tenths (60.5') feet, Lot 11, Lot 12, Lot 13, Lot 15, Lot 14 and an unnamed lot adjacent to the said Omarest Drive, measuring thereon Two Hundred Five (205') feet, more or less, all as shown on said plat made a part hereof by reference.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

(R448, S1774)

**No. 641**

**An Act To Authorize The Richland-Lexington Airport Commission To Issue Not Exceeding One Million One Hundred Twenty Thousand Dollars Of General Obligation Bonds Of Richland-Lexington Airport District; To Prescribe The Conditions Under Which They May Be Issued; To Prescribe The Use Of Their Proceeds; And To Make Provision For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 681 of 1962 it created Richland-Lexington Airport District (the District) and committed to the Commission therein designated as Richland-Lexington Airport Commission (the Commission) the function of establishing modern air transport facilities in the District. This act authorized and empowered the Commission to issue general obligation bonds of the District in the aggregate principal amount of not exceeding two million seven hundred thousand dollars, and to use such funds for the construction and establishment of suitable airport facilities within the District. The bonds were heretofore issued and their proceeds are presently being applied to the construction of the airport facility contemplated by such act. It has now been determined that the sum so provided is insufficient to complete the facility in the manner originally contemplated and that one million one hundred twenty thousand dollars of additional funds is necessary therefor. The General Assembly has, therefore, determined to empower the Commission to raise such additional sum through the issuance and sale of not exceeding one million one hundred twenty thousand dollars of general obligation bonds of the District.

**SECTION 2. Richland-Lexington Airport District may issue bonds.**—In order to provide additional funds for the construction and establishment of suitable airport facilities within the District, the Commission is hereby authorized and empowered to issue not exceeding one million one hundred twenty thousand dollars of general obligation bonds of the District. All or any general obligation bonds issued pursuant to this act shall conform to the following specifications and be subject to the following procedures:

(a) They shall be issued as a single issue, or from time to time as several separate issues. They shall be in such denomination, bear

such date as the Commission shall determine, and bonds of any issue shall mature in such equal or unequal instalments as may be determined by the Commission. They shall be made payable at such place as the Commission shall prescribe, and they shall bear interest at such rate, and shall be payable in such manner as the Commission may determine. The bonds may be issued with the privilege of having them registered as to principal on the books of the Commission and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Commission may prescribe. Any bond issued pursuant to this act may be made subject to redemption prior to its stated maturity, on such terms and conditions and with such redemption premium as the Commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale. At least ten days prior to any sale, notice announcing the intention to receive bids for sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the Commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the Commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the Code of Laws of South Carolina, 1962.

(d) All general obligation bonds issued pursuant to this act shall be manually signed by the Chairman of the Commission. The Seal of the District shall be affixed to, impressed or reproduced upon each of such bonds, and each of such bonds shall be attested by the Secretary of the Commission. The coupons attached to such bonds shall be authenticated by a facsimile of the signatures of the Chairman and the Secretary of the Commission, who shall be in office on the date of the adoption of the resolution of the Commission authorizing the bonds.

(e) The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution and authentication.

(8) There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the District. Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied on all taxable

property in the District an annual ad valorem tax sufficient to pay the principal and interest of all bonds issued under this act as such principal and interest becomes due. The tax shall be annually levied by the Comptroller General of South Carolina and collected by the County Treasurers of Richland and Lexington Counties at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay it to the State Treasurer in the manner and within the time heretofore provided by law for the payment of state taxes to the State Treasurer, who shall set them apart in a special fund and apply them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this paragraph shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which moneys produced by such levy will come into the hands of the State Treasurer, as reduced by the anticipated balance of funds actually in the hands of the State Treasurer, on the occasion when it becomes necessary to fix such tax levy, produced by:

(a) additional collections from such levies made in prior years; (b) net revenues derived by the Commission from the operation of its facilities not required to meet costs of operating, maintaining, enlarging and improving its facilities, or to discharge covenants securing bonds issued pursuant to paragraph 18 of Section 5 of Act No. 681 of 1962. When all principal and interest of outstanding bonds have been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this paragraph to the general fund of the Commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the District's airport facilities.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund, and shall be subject to transfer, upon warrants or orders of the Commission, to any bank or trust company having an office within the District, to be expended by the Commission for the purpose of meeting any costs incurred in the issuance of the bonds and to meet the cost of constructing and establishing the airport facility within the District in the manner contemplated by the definition of "construct and establish" as set forth in paragraph 19 of Section 5 of Act No. 681 of 1962, and to no other purposes; *provided,*

however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the State Treasurer to the first installment of interest becoming due on the bonds; and *provided*, further, pending such withdrawals, the Treasurer of South Carolina shall, upon the request of the Commission, be empowered to invest and reinvest the proceeds derived from the sale of the bonds in direct general obligations of the United States of America having a maturity of not more than one year from the date as of which such investment shall be made. Income derived from such investments shall be applied to the payment of any interest to accrue on the general obligation bonds of the District. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sales.

**SECTION 3. Repeal.**—All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R449, H1775)

**No. 642**

**An Act To Authorize The School Commissioners Of School District No. 1 Of Richland County To Issue Not Exceeding One Million Dollars Of General Obligation Bonds, To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that School District No. 1 of Richland County has a need for further school facilities in order to accommodate the increasing number of pupils attending the public school system in the school district. It has therefore determined to authorize the School Commissioners of School District No. 1 of Richland County to effect the acquisition of further school facilities through the

constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one million dollars.

**SECTION 2. Richland County School District 1 may acquire school facilities.**—The commissioners are hereby empowered to acquire such further school facilities as may be procured with the proceeds of the bonds and through such other funds available to the commissioners, and to that end, they are empowered to construct and equip new school buildings, to improve and enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

**SECTION 3. Richland County School District 1 may issue bonds.**—In order to obtain funds for the purposes above set forth, the commissioners are hereby authorized to issue not exceeding one million dollars of general obligation bonds of School District No. 1 of Richland County. The proceeds derived from the sale of the bonds shall be paid to the treasurer of the school district and shall be deposited in a Bond Account Fund for School District No. 1 of Richland County, and shall be expended and made use of by the commissioners as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds and to acquire further school facilities as provided therein. Pending the expenditure of the proceeds of the bonds, their proceeds may be invested and reinvested upon the order of the commissioners in direct obligations of the United States having a stated maturity of not exceeding one year. All income so realized shall be added to and utilized for school facilities authorized by Section 2 of this act.

The sums received pursuant to subparagraphs (a) and (b) shall, as soon as practicable, be delivered to the Treasurer of Richland County, with appropriate instructions as to their respective uses.

**SECTION 4. Issue—maturity—redemption—denominations—interest—dates—where payable.**—The bonds may be issued as a single issue, or from time to time as several separate issues, in the discretion of the commissioners, provided that no bonds authorized by this act shall be issued later than three years after the effective date of this act.

All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the commissioners, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear, and the first maturity date may be postponed not more than three years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the commissioner, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the commissioners shall determine. The bonds shall be in such denominations and shall bear interest in such manner as shall be determined by the commissioners, but the average rate of interest for any bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of School District No. 1 of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commissioners may prescribe. They shall bear such date or dates and be payable at such places as the commissioners may likewise prescribe.

**SECTION 5. Execution.**—The bonds and the interest coupons thereto attached shall be executed in such manner as the commissioners shall prescribe.

**SECTION 6. Sale.**—The bonds shall be sold by the commissioners at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

**SECTION 7. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 8. Payment.**—For the payment of the principal and interest of the bonds, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 1 of Richland County shall be irrevocably pledged and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Rich-

land County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of the bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 9. Action may be taken at any meeting.**—Any action required by the commissioners may be taken at any meeting of the commissioners, regular or special, and at such meeting a majority of the members of the commission shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of the bonds, awarding the sale of the bonds, or taking any other action permitted or required of the commissioners by the provisions of this act.

**SECTION 10. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

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(R466, H1809)

**No. 643**

**An Act To Authorize The Richland County Civic Center Commission, Created Pursuant To Act No. 1209 Of 1962, To Hold An Election To Determine The Wishes Of The Qualified Electors Of The County On A Bond Issue For The Erection Of A Civic Center.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that it is in the public interest of Richland County that a civic center be established in the county on lands formerly owned by the South Carolina State Fair Association and more recently conveyed to the City of Columbia, subject to certain restrictions and reservations found not to be burdensome. The civic center is intended to consist of a public auditorium, a public coliseum, and related buildings, all of which can be utilized for educational, cultural and related purposes. It is recognized that such an establishment would involve an outlay of several million dollars, and as a consequence, if the civic center is to be constructed it is necessary that a large expenditure of public moneys be made. The General Assembly takes note of the fact that Sections 5

and 6 of Article X of the Constitution have been amended so as to (a) remove all question as to the propriety of the purpose of the undertaking; and (b) remove from the debt limitations in Section 5 of Article X bonds of Richland County to be issued for such purpose, whenever the question of the issuance of such bonds shall have been presented to the qualified electors of Richland County and their approval shall have been obtained in any election held subsequent to November 1, 1962. The General Assembly has, therefore, determined to permit the issue of general obligation bonds of Richland County to the extent and under the conditions enumerated in Act No. 1209 of 1962.

**SECTION 2. Richland County Civic Center Commission may hold election concerning construction of a civic center.**—The Richland County Civic Center Commission is authorized to hold an election in order to submit the question to the qualified electors of the county of the issuance of bonds for the purpose of constructing a civic center. The election shall be held under the terms and conditions as set forth in Act No. 1209 of 1962 and the results of the election shall be announced in the manner provided by the act and any bonds that may be issued for the purpose of the construction of the civic center shall be issued in accordance with those terms and conditions specified in Act No. 1209 of 1962.

**SECTION 3. Effect of Act 1209 of 1962.**—In all matters pertaining to the civic center, the commission shall be guided by the provisions of Act No. 1209 and may exercise any of the rights, privileges and duties set forth therein.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 3rd day of June, 1963.

**An Act To Authorize The County Board Of Commissioners Of Richland County To Issue And Sell Not Exceeding Two Million Two Hundred Thousand Dollars Of General Obligation Bonds Of Richland County To Provide Funds For Capital Expenditures For Richland County; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that there is an immediate need for capital expenditures for Richland County for the following purposes :

1. To defray the cost of constructing and equipping a Technical Educational Center, including the cost of an appropriate site therefor, not exceeding five hundred fifty thousand dollars.

The expenditure here authorized is made in order that Richland County may cooperate with the program instituted by Article 7, Chapter 15, Title 21, Code of Laws of South Carolina, 1962.

2. To defray the cost of constructing and equipping a prison camp, including the cost of a suitable site therefor, not exceeding one hundred fifty thousand dollars.

3. To pay the cost of the purchase price and renovation of a building and lot to house the Richland County Service Officer and Agricultural Agencies promoting agriculture in Richland County, not exceeding one hundred fifty thousand dollars.

4. To defray the cost of constructing and equipping a new county jail, including the cost of a suitable site therefor, not exceeding one million three hundred fifty thousand dollars.

The General Assembly takes further note of the fact that a portion of the sums required for these items have already been met through temporary borrowings made in anticipation of the issuance of bonds, and that a portion of the sums set apart for those purposes must be used to effect repayment of the sums raised through such temporary arrangements.

The General Assembly has, therefore, determined to empower the County Board of Commissioners of Richland County, as constituted by Article I, Chapter 56, Title 14, Volume 3, Code of Laws of South Carolina, 1962, (the county board) to issue general obligation bonds of Richland County, to the extent herein provided, in order to provide the funds required for the capital expenditures above referred to.

**SECTION 2. Richland County may issue bonds for technical training program.**—In order to provide funds to be expended for the purposes mentioned in Section 1 of this act, the county board is hereby authorized and empowered to issue and sell general obligation bonds of Richland County in an aggregate principal amount not exceeding two million two hundred thousand dollars.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Maturity.**—The bonds shall be in such denominations and shall mature in such annual series or installments as the county board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption—notice.**—The bonds issued pursuant to this act may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form—registration.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Richland County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Place of payment.**—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the county board shall provide.

**SECTION 8. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the county board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution provide.

**SECTION 10. Sale—notice.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina, and in a financial journal published in the City of New York, State of New York. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Richland County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in Richland County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of any bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 13. Use of proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the county board, to defray the cost of issuing the bonds authorized hereby, and utilized, within the limitations set forth in Section 1, for the purposes therein provided, that is to say:

(1) Not exceeding five hundred fifty thousand dollars to defray the cost of constructing and equipping a Technical Educational Center, including the cost of an appropriate site therefor, or to repay temporary indebtedness of Richland County incurred for such purpose;

(2) Not exceeding one hundred fifty thousand dollars to defray the cost of constructing and equipping a prison camp, including the cost of a suitable site therefor;

(3) Not exceeding one hundred fifty thousand dollars to pay the cost of the purchase price of a building to house the Richland County Service Officer and agricultural agencies promoting agriculture in Richland County, or to repay temporary indebtedness of Richland County incurred for such purpose; and

(4) The balance remaining, but not exceeding one million three hundred fifty thousand dollars, to defray the cost of constructing and equipping a new county jail, including the cost of a suitable site therefor.

(5) If any balance remain, it shall be held by the Treasurer of Richland County in a special fund and used to effect the retirement of bonds authorized hereby; *provided*, that the purchaser of the bonds herein authorized shall be in no way responsible for the proper application of the proceeds.

**SECTION 14. Powers.**—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested therein, and may be exercised by the county board at any regular or special meeting through the adoption of a resolution or resolutions to take effect immediately upon their adoption.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R514, H1793)

**No. 645**

**An Act To Authorize The County Of Richland To Issue General Obligation Bonds For The Purpose Of Erecting A Civic Center And Allied Facilities; To Authorize The State of South Carolina To Contribute To The Cost Of Such Project; To Provide For The Payment Of Such Amounts, All Of Which Shall Be Subject To A Favorable Result Of An Election; To Further Provide For The Membership Of The Richland County Civic Center Commission And To Amend Section 3 Of Act No. 1209 Of 1962, Relating To The Advisory Board Of The Richland County Civic Center Commission, So As To Increase The Membership Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly—bond issue—election.**—As an incident to the authorizations herein made, the General Assembly has made the following findings:

1. By Act No. 1209 of the Acts of 1962, Richland County Civic Center Commission (the Commission) was created and authorized and empowered to construct the project therein set forth.

2. In order to provide moneys for such project the Commission was authorized and empowered to issue general obligation bonds of Richland County, if the election required by such act was held and resulted favorably. The election was held, but resulted unfavorably by a small margin. By legislation in *pari materia* a further election is authorized to determine whether the Commission shall be empowered to issue bonds of Richland County to the extent of seven million dollars. Such amount, if made available, is less by two million dollars than that which is required to adequately construct and equip the project.

It is proper that the State make a contribution toward the project of not exceeding two million dollars. On this basis the General Assembly has determined to empower the Governor and State Treasurer to issue notes of the State to the extent of not exceeding two million dollars under the conditions hereinafter set forth.

If an election shall be held in Richland County to determine if the Commission shall be empowered to issue general obligation bonds of Richland County to the extent of not exceeding seven million dollars, such election shall result favorably and the result so obtained shall unconditionally empower the Commission to issue general obligation bonds of Richland County to the extent of seven million dollars, and if the State Budget and Control Board of South Carolina (the State Board) shall find by resolution duly adopted that the project proposed by Act No. 1209 of 1962 can be constructed and suitably equipped with an expenditure of not exceeding nine million dollars (being the amount to be raised through the sale of general obligation bonds of Richland County, plus the two million dollar expenditure herein authorized), then in such event the Governor and the State Treasurer shall be empowered to issue notes of the State of South Carolina to the extent of two million dollars and to apply the proceeds therefrom, under such conditions as the State Board shall determine, to the payment of expenses to be incurred in the construction and equipping of the project authorized by Act No. 1209 of 1962. Such notes shall mature in fifteen successive, and in substantially equal (to the nearest five thousand dollars) annual installments, each maturing on anniversaries of the date the notes bear. The notes may, at the discretion of the State Board, be made subject to redemption prior to their stated maturities on such occasions and under such conditions as the State Board shall prescribe. The notes shall bear interest payable annually or

semi-annually, at such rate or rates as the State Board may prescribe.

All notes issued under this section shall be signed by the Governor and the State Treasurer. The Great Seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes shall be in such form as the State Board shall prescribe, and may be issued as a single fully registered note.

The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

For the payment of the principal of and interest on the notes issued pursuant to this section there shall be pledged so much thereof as may be needed of the revenue derived from the tax imposed pursuant to Article 1, Chapter 12, Title 65 of the 1962 Code. Until payment of such principal and interest has been made or has been provided for, all sums received in each fiscal year from the tax referred to above shall be delivered to the State Treasurer and shall be applied by him to the payment of the principal and interest, and to the debt servicing of other outstanding obligations of the State also secured by a pledge of such revenues. Thereafter, further revenues from such tax for such fiscal year may be used for other purposes. The General Assembly takes note of the fact that there are presently outstanding obligations of the State of South Carolina payable from the tax hereinabove pledged, and it is hereby declared that the notes authorized by this section shall in all respects be on a parity with such outstanding obligations. The pledge of revenues derived from the tax above referred to shall not preclude the issuance by the State of further obligations secured, in whole or in part, by a pledge of such revenues on a parity with the pledge herein authorized, nor shall the pledge of revenue derived from such tax preclude the revision of such tax as to rate or method, either or both, if the State Auditor shall certify that his estimate of the revenue to be derived annually from the tax as thus revised will not be less than one hundred and twenty-five per cent of that sum which is equal to the maximum annual principal and interest requirements on all notes or obligations of the State for which the revenues derived from the aforesaid tax have been pledged. Such certificate shall

be appended to the enrolled act and be presented to the Joint Assembly on the occasion such act is presented for ratification.

The State Board may, in its capacity as Trustee of the funds of the South Carolina Retirement System, purchase the notes herein authorized as an investment of such funds.

The proceeds derived from the sale of the notes authorized by this section shall be deposited with the State Treasurer and shall be expended by or on behalf of the State agencies for whom the proceeds thereof are made available for the purposes set forth in paragraph 4 of this section.

**SECTION 2. Civic Center Commission—membership.**—The State shall be represented on the South Carolina Civic Center Commission by a minimum of two members to be appointed by the Governor. These two members must come from some other county or counties other than Richland County.

**SECTION 3. Advisory board created.**—Section 3 of Act No. 1209 of 1962 is amended to read as follows:

“Section 3. For the purpose of advising the Commission in all phases of the construction and operation of the civic center and for the further purpose of making recommendations to the General Assembly as to the proper functioning of the facilities, there is hereby created an advisory board, to be known as the ‘Advisory Board of the Richland County Civic Center Commission’, hereinafter called the ‘Advisory Board’. The Advisory Board shall consist of seventeen persons, and shall be those, who from time to time shall be the Mayor of the City of Columbia, the President of the University of South Carolina, and the President of the South Carolina State Fair Association, and fourteen members to be appointed as follows: one member shall be appointed by the Governor from each Judicial Circuit in the State except the Fifth, upon the recommendation of a majority of the members of the legislative delegations comprising each circuit. By reason of the natural interest of those who shall hold such offices in the proper functioning of the civic center, their appointment to office as members of the Advisory Board is made ex officio. The Advisory Board shall meet and organize in such fashion as it shall deem appropriate, and shall be entitled to attend all meetings of the Commission, notwithstanding that no member thereof shall vote on any action to be taken by the Commission.”

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(S519, S428)

**No. 646**

**An Act To Authorize The Sale Of Certain County-Owned Property In Richland County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Richland County may sell property.**—The property hereinafter described may be sold by the governing body of Richland County under such terms and conditions as may be agreed upon by the governing body; *provided*, that none of such property shall be sold without the approval of a majority of the Richland County Legislative Delegation.

All that certain piece, parcel or tract of land, situate, lying and being in the County of Richland, State of South Carolina, on the waters of the Cambes Branch, containing thirty (30) acres, more or less, and being the southern thirty (30) acres, more or less, of a forty-five (45) acre-tract, more or less, heretofore conveyed to Philip Boler by Ellen I. Butler, Tax Collector for Richland County, December 17, 1940, recorded in the office of the Clerk of Court for Richland County in Deed Book FE, page 99; Said Tract being bounded as follows; On the North by the remaining fifteen (15) acres, more or less, of the forty-five (45) acres-tract above referred to; On the South by property now or formerly of Carter; On the East by property now or formerly of branch; and on the West by property of the State of South Carolina.

**PARCEL A.**

All that certain piece, parcel or tract of land situate, lying and being in School District No. 5, in the County of Richland, State of South Carolina, on the Eastern side of Benjamin Road, about one (1) mile East of the City of Columbia, a pentagon in shape, containing thirty-five (35) acres, and being more particularly shown and delineated as Tract "A" on a plat of the property of Veterans Administration near Columbia, S. C. prepared by B.

P. Barber and Associates, Engineers, March 1958, as follows, to wit:

Commencing at a stone on the Western side of Benjamin Road, being the Northwestern corner of said tract of land and twelve hundred four and one-hundredths (1204.01') feet from the corner of U. S. Highway No. 76; thence turning and extending therefrom South 39 degrees 07 minutes East thirty-three hundred and thirteen (3313') feet, along lands of Veterans Administration, to a stone which is fourteen hundred and forty and 35/100 (1440.35') feet from the corner of U. S. Highway No. 76; thence turning and extending therefrom South 31 degrees 0 minutes West four hundred eighty-six and 39/100 (486.39') feet, along lands of Meadofield Subdivision, to an iron; thence turning and extending therefrom North 39 degrees 07 minutes West thirty-two hundred ninety-seven and 97/100 (3297.97') feet, along Tract "B", as shown on said plat, to an iron; thence turning and extending therefrom North 9 degrees 06 minutes East one hundred forty-eight and 89/100 (148.89') feet, along the Eastern side of Benjamin Road to a stone; thence turning and extending therefrom North 37 degrees 41 minutes East three hundred fifty-five and 77/100 (355.77') feet, along the Eastern side of Benjamin Road to the point of beginning.

*PARCEL B.*

All that certain piece, parcel or tract of land situate, lying and being in School District No. 5, on the Eastern side of Benjamin Road, about one (1) mile East of the City of Columbia, in the County of Richland, State of South Carolina, a quadrilateral in shape, containing sixty-eight and 5/100 (68.05) acres, and being more particularly shown and delineated as Tract "B" on a plat of the property of Veterans Administration near Columbia, S. C. prepared by B. P. Barber and Associates, Engineers, March 1958, as follows, to wit:

Commencing at an iron on the Eastern side of Benjamin Road, being the Northwestern corner of said tract of land, and extending therefrom South 39 degrees 07 minutes East thirty-two hundred ninety-seven and 97/100 (3297.97') feet along Tract "A", as shown on said plat, to an iron; thence turning and extending therefrom South 31 degrees 0 minutes West five hundred eighty-one and 46/100 (581.46') feet, along lands of Meadofield Subdivision, to a stone; thence turning and extending

therefrom North 58 degrees 15 minutes West twenty-five hundred fifteen and 23/100 (2515.23') feet, along lands of Frank Hampton, Mrs. Lucy B. Bostick and Ambrose G. Hampton, to a stone; thence turning and extending therefrom North 13 degrees 22 minutes East one thousand sixty and 50/100 (1060.50') feet along the Eastern side of Benjamin Road to a stone, being the center line of the Sanitary Sewer Line; thence turning and extending therefrom North 9 degrees 06 minutes East seven hundred ten and 81/100 (710.81') feet, along the Eastern side of Benjamin Road to the point of beginning.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R679, H1890)

**No. 647**

**An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1963-1964, And To Direct The Expenditures Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby levied a tax of nine and one-half mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all additional sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth. *Provided*, that all salaries herein appropriated shall be paid in biweekly installments and the total of such items, other than salaries, shall be expended only if such be necessary. *Provided*, further, however, that implements and supplies of whatever kind to be purchased or sold under the terms of this act shall be purchased or sold only upon competitive bids each quarter after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Richland County, which advertisements shall set forth the articles and the approximate amount, quantity, measure and number thereof to be purchased or sold, and the contract of purchase or sale shall be awarded to the lowest responsible bidder for the period of one quarter. *Provided*, further, that in case of

actual emergency, but in no other event, the supervisor may purchase without competitive bids, where the cost thereof does not exceed five hundred dollars, and under no circumstances shall purchases be divided in order to come within this limitation. *Provided*, further, that no bill, account or claim against the county shall be paid unless contracted for under such competition or purchased by the supervisor in the above-mentioned case of actual emergency and unless the claims be filed for audit within thirty days from the time a cause of action arises. *Provided*, further, that no official or board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriations made for his or its specific office or department. It shall be a criminal offense for any official or board to overdraw his or its appropriations, knowing in advance that such has been used.

## ITEM 1. ADMINISTRATION DEPARTMENT

## (A) 1. AUDITOR'S OFFICE

|  |             |
|--|-------------|
| Salary, Auditor .....  | \$ 4,722.00 |
| Travel and Official Expenses, Auditor .....                                      | 430.00      |
| Salary, Deputy Auditor .....   | 4,332.76    |
| Travel and Official Expense, Deputy Auditor .....                                | 430.00      |
| Salary, Deputy Auditor .....   | 4,332.76    |
| Travel and Official Expense, Deputy Auditor .....                                | 430.00      |
| Salary, Assistant Deputy Auditor .....   | 3,674.75    |
| Salary, Clerk .....  | 3,674.75    |
| Salary, Clerk .....  | 3,674.75    |
| Salary, Clerk .....  | 3,646.09    |
| Salary, Clerk .....  | 3,439.71    |
| Salary, Clerk .....  | 3,180.00    |
| Extra Clerk Hire, if so much be necessary,<br>at discretion of the Auditor ..... | 5,000.00    |
| Purchase of desk and chair .....   | 245.00      |
| Purchase of two adding machines .....  | 473.80      |
|  | <hr/>       |
|  | 41,686.37   |

## (B) TREASURER'S OFFICE

|  |          |
|--|----------|
| Salary, Treasurer .....                      | 4,722.00 |
| Travel and official expense, Treasurer ..... | 430.00   |
| Salary, Deputy Treasurer .....               | 4,332.78 |
| Official expense, Deputy Treasurer .....     | 430.00   |

|   |           |
|---|-----------|
| Salary, Chief Cashier .....   | 4,108.45  |
| Travel and official expense, Chief Cashier ..                                   | 430.00    |
| Salary, Fee Cashier .....   | 3,729.87  |
| Salary, Cashier .....   | 3,873.18  |
| Salary, Cashier .....   | 3,873.18  |
| Extra Clerk Hire, if so much be necessary ..                                    | 7,000.00  |
| Bank Charges .....  | 300.00    |
| Bond Premium to cover employees who handle money, if so much be necessary ..... | 500.00    |
| Purchase of file cabinet .....  | 127.82    |
|   | <hr/>     |
|   | 33,857.28 |

*Provided*, however, if the State fails to pay Auditor and Treasurer a portion of their salary, then such amount is hereby appropriated as to bring their respective salaries up to \$8,-570.00 and no more.

## (C) CLERK OF COURT'S OFFICE

|  |           |
|--|-----------|
| Salary, Clerk of Court .....                     | 8,570.00  |
| Travel and official expense, Clerk of Court ..   | 430.00    |
| Salary, Deputy Clerk of Court .....              | 4,729.64  |
| Official expense, Deputy Clerk of Court ....     | 430.00    |
| Salary, Court Deputy .....                       | 4,332.78  |
| Official expense, Court Deputy .....             | 430.00    |
| Salary, Court Deputy .....                       | 4,301.91  |
| Official expense, Court Deputy .....             | 430.00    |
| Salary, Record Clerk .....                       | 3,910.02  |
| Salary, Chattel Clerk .....                      | 3,674.75  |
| Salary, Court Deputy .....                       | 3,909.29  |
| Salary, Clerk .....                              | 3,646.09  |
| Salary, Clerk .....                              | 3,555.69  |
| Salary, Clerk .....                              | 3,285.60  |
| Salary, Clerk .....                              | 3,380.00  |
| Salary, Clerk .....                              | 3,466.58  |
| Extra Clerk Hire .....                           | 600.00    |
| Repairing of books, if so much be necessary .    | 500.00    |
| Purchase of 2 double roller shelf sections ...   | 480.00    |
| Purchase of 6 four-drawer legal files with locks | 492.00    |
|  | <hr/>     |
|  | 54,554.35 |

|  |            |
|--|------------|
| (D) I. SUPERVISOR'S OFFICE   |            |
| Salary, Supervisor .....   | 10,170.00  |
| Travel and Official Expense, Supervisor .....                                      | 430.00     |
| Salary, Deputy Supervisor and County Engineer .....                                | 6,382.93   |
| Travel and Official Expense, Deputy Supervisor and County Engineer .....           | 430.00     |
| Salary, Assistant County Engineer and Voting Machine Custodian .....               | 4,160.00   |
| Travel and official expense, Assistant County Engineer .....                       | 430.00     |
| Salary, Clerk of Board .....   | 5,040.68   |
| Salary, Assistant Clerk of Board .....   | 4,296.30   |
| Seven Commissioners at \$192.92 per month each .....                               | 16,205.28  |
| Official Travel Expenses, Commissioners at \$50.00 per month each .....            | 4,200.00   |
| For Advertising, if so much be necessary ..  | 800.00     |
| Stamps for all county offices, if so much be necessary .....                       | 12,000.00  |
| Stationery and supplies, Repairs and Services for all county offices .....         | 43,000.00  |
| Officers' bonds .....  | 2,000.00   |
| Auditing county records .....  | 12,000.00  |
| Salary, County Attorney .....  | 4,226.60   |
| State Fund, premium for period through September 30, 1964, if so much be necessary | 11,600.00  |
| Extra Clerk Hire .....   | 1,000.00   |
|  | <hr/>      |
|  | 138,371.79 |

*Provided*, that the compensation so fixed for the County Attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and the County Attorney may charge any board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided*, further, that the County Attorney may not use the services of any attorney on the dele-

gation for abstracting the title to real estate or handling bond issues for any board or agency of Richland County. *Provided*, further, that the Richland County Board of Commissioners shall meet once every two weeks in the office of the County Supervisor at the call of the County Supervisor. *Provided*, that the audit for the Columbia Hospital, Richland County Health Department, the Richland County Public Library and Richland County Teachers' Retirement Fund shall be made by the same firm that is selected annually to audit the books and records of Richland County. *Provided*, further, that the actual cost of auditing records of the Columbia Hospital and County Library shall be drawn from the funds appropriated to each respective activity; *provided*, that all supplies be obtained through and from the Supervisor's office by requisition.

## (D) II. COUNTY JAIL

|   |           |
|---|-----------|
| Salary, County Jailer .....                   | 4,368.00  |
| Travel and official expense, County Jailer .. | 360.00    |
| Salary, Assistant Jailer .....                | 3,519.97  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, helper at Jail .....                  | 3,151.02  |
| Salary, Matron at Jail .....                  | 2,080.00  |
| Salary, Secretary at Jail .....               | 2,800.00  |
| Supplies and dieting at Jail .....            | 16,000.00 |
| Repairs .....                                 | 1,000.00  |
| Purchase of uniforms .....                    | 900.00    |

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 49,934.09

*Provided*, that the County Jailer shall file a monthly report with the Supervisor showing the daily number of prisoners, both State and Federal, at the jail, and the per capita cost

of dieting per day. *Provided*, further, that all monies paid by the Federal Government or municipalities for dieting of prisoners confined in the Richland County Jail shall be turned over and become part of the Richland County General Fund; *provided*, further, that in addition to the appropriation hereinabove provided for supplies and dieting at the jail the Richland County Board of Commissioners shall have the right to use such monies paid by the Federal Government or municipalities to supplement the appropriation, if necessary, and that complete records of same be maintained and included in the annual county audit.

(E) TAX COLLECTOR'S OFFICE

|   |           |
|---|-----------|
| Salary, Tax Collector .....                             | 5,913.44  |
| Travel and official expense, Tax Collector ..           | 480.00    |
| Salary, Assistant Tax Collector .....                   | 3,988.84  |
| Official travel, Assistant Tax Collector .....          | 1,200.00  |
| Salary, Assistant Tax Collector .....                   | 3,902.85  |
| Official travel, Assistant Tax Collector .....          | 1,200.00  |
| Salary, Deputy Tax Collector .....                      | 3,910.02  |
| Travel and official expense, Deputy Tax Collector ..... | 900.00    |
| Salary, Assistant Clerk .....                           | 3,674.75  |
| Salary, Stenographer .....                              | 3,340.72  |
| Extra Hire, if so much be necessary .....               | 500.00    |
| Rent of I.B.M. Key Punch and sales tax .....            | 720.00    |
| Service Bureau Corp. (I.B.M. work) .....                | 1,500.00  |
| Purchase of file cabinet .....                          | 126.69    |
| Minor Alterations for office .....                      | 500.00    |
|   | <hr/>     |
|   | 31,857.31 |

*Provided*, that the Assistant Tax Collectors for Richland County be deputed by the Sheriff for Richland County.

(F) DELEGATION OFFICE

|  |          |
|--|----------|
| Salary, Administrative Assistant ..... | 1,765.24 |
| Travel and Official Expense .....      | 930.00   |

|  |          |
|--|----------|
| Salary, Secretary to Delegation .....                  | 4,110.00 |
| Office supplies and official Legislative expense ..... | 1,000.00 |
|  | <hr/>    |
|  | 7,805.24 |

*Provided*, that the sum appropriated for office supplies and official Legislative expense shall be expended by the Secretary to the Delegation upon the approval of the Senator and at least one-half of the members of the House of Representatives from Richland County.

## (G) ASSESSMENT

|  |           |
|--|-----------|
| Richland County Board of Assessment Control .....          | 69,964.00 |
| Board of Assessment Appeals; if so much be necessary ..... | 1,750.00  |
|  | <hr/>     |
|  | 71,714.00 |

*Provided*, that the members of the Richland County Board of Assessment Appeals shall receive \$12.50 per day each, and each shall be paid direct by the Supervisor upon properly executed vouchers presented based upon work actually performed.

|                     |                    |
|---------------------|--------------------|
| TOTAL, ITEM 1 ..... | <hr/> \$429,780.43 |
|---------------------|--------------------|

## ITEM 2. JUDICIAL DEPARTMENT

(A) COURT OF COMMON PLEAS AND  
GENERAL SESSIONS

|   |              |
|---|--------------|
| Clerk, Jurors and Witnesses .....                             | \$ 30,000.00 |
| Court Stenographer .....                                      | 1,205.10     |
| Official expense, Solicitor, Fifth Judicial Circuit .....     | 1,450.00     |
| Official expense, Circuit Judge, Fifth Judicial Circuit ..... | 1,750.00     |
| Salary, Assistant Solicitor .....                             | 6,248.40     |
| Salary, Assistant Solicitor for Richland County .....         | 3,968.64     |
| Salary, Secretary to Circuit Judge .....                      | 3,933.25     |
| Purchase of Gray Autograph and Steno-mask .....               | 578.77       |

|                                |        |
|--------------------------------|--------|
| Purchase of Bookcase .....     | 74.73  |
| Purchase of Typewriter .....   | 412.52 |
| Purchase of File cabinet ..... | 155.02 |

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 49,776.43

*Provided*, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided*, that no more than four bailiffs and one Court Crier be appointed for such duties. *Provided*, that the Clerk of Court shall not pay more than thirty-four dollars per day for bailiffs. *Provided*, that the jury boy or girl employed by the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided*, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association.

*Provided*, further, that the members of the Richland County Grand Jury shall receive a per diem of \$5.00 for each day such grand jury meets as a body of the whole during the year 1963-64. *Provided*, further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of \$5.00 per day. *Provided*, further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment. *Provided*, further, that out

of the funds herein appropriated for jurors and witnesses the Circuit Solicitor is hereby authorized to use for special services the sum not to exceed \$1,600.00.

## (B) COUNTY COURT

|  |           |
|--|-----------|
| Salary, Senior County Judge .....                      | 13,500.00 |
| Travel and official expense, Senior County Judge ..... | 430.00    |
| Salary, County Court Stenographer .....                | 5,410.85  |
| Salary, County Court Bailiff and Clerk ....            | 3,991.68  |
| Official expense, County Court Bailiff and Clerk ..... | 400.00    |
| Salary, County Court Bailiff .....                     | 3,991.68  |
| Official expenses, County Court Bailiff ....           | 400.00    |
| Salary, part time County Court Bailiff .....           | 2,652.00  |
| County Court expenses .....                            | 20,000.00 |
| Purchase of typewriter .....                           | 241.02    |
| Purchase of File Cabinet .....                         | 75.65     |
| Purchase of Costumer .....                             | 32.30     |
| Purchase of Desk .....                                 | 177.65    |
| Salary, County Judge .....                             | 10,500.00 |
| Official expense, County Judge .....                   | 430.00    |
| Salary, County Court Junior Stenographer .             | 4,581.57  |
| Salary, County Court Bailiff .....                     | 3,942.20  |
| Official expense, County Court Bailiff .....           | 240.00    |
| Purchase of typewriter .....                           | 200.00    |
| Purchase of Steno-mask .....                           | 135.00    |

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 71,331.60

*Provided*, that the Senior County Judge may employ not more than two part time bailiffs at \$8.50 per day during court terms.

*Provided*, further, that the petit jurors for the County Court shall be paid at the rate of \$5.00 per day served. *Provided*, further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent days during that week,

then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

(C) JUVENILE-DOMESTIC RELATIONS  
COURT

|   |           |
|---|-----------|
| Salary, Judge .....   | 10,500.00 |
| Travel and official expenses, Judge .....                                     | 430.00    |
| Salary, Chief Probation Officer .....   | 5,834.29  |
| Official expense, Chief Probation Officer ....                                | 900.00    |
| Salary, Assistant Probation Officer .....                                     | 4,801.46  |
| Official expense, Assistant Probation Officer .....                           | 900.00    |
| Salary, Assistant Probation Officer .....                                     | 4,801.46  |
| Official travel expense, Assistant Probation<br>Officer .....                 | 900.00    |
| Salary, Probation Officer .....   | 4,801.46  |
| Official expense, Probation Officer .....                                     | 900.00    |
| Salary, Probation Officer .....   | 4,801.46  |
| Official expense, Probation Officer .....                                     | 900.00    |
| Salary, Clerk of Court of Juvenile-Domestic<br>Relations Court .....          | 4,160.00  |
| Salary, Assistant Clerk of Court .....  | 3,515.20  |
| Salary, Deputy Clerk of Court .....   | 3,244.80  |
| Salary, Deputy Clerk of Court .....   | 3,244.80  |
| Court expense .....   | 1,300.00  |
| Deputy, Juvenile-Domestic Relations Court ..                                  | 4,316.23  |
| Official travel expenses, Deputy, Juvenile-<br>Domestic Relations Court ..... | 1,200.00  |
| Fund for Court Reporting Service, if so much<br>be necessary .....            | 300.00    |
| Purchase of Docket book file and office equip-<br>ment .....                  | 400.00    |
|   | <hr/>     |
|   | 62,151.16 |

*Provided*, that the Deputy, Juvenile-Domestic Relations Court, be deputized by the Sheriff of Richland County. *Provided*, further, that the Sheriff's office shall be relieved of the responsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

## (D) JUDGE OF PROBATE'S OFFICE

|   |          |
|---|----------|
| Salary, Judge of Probate .....                      | 8,570.00 |
| Travel and official expense, Judge of Probate ..... | 430.00   |
| Salary, Clerk of Probate Court .....                | 4,557.32 |
| Salary, Assistant Clerk .....                       | 4,061.24 |
| Salary, Court Reporter .....                        | 4,061.24 |
| Stenographer .....                                  | 2,995.20 |
| Expenses and publications .....                     | 165.00   |
| Extra Clerk Hire, if so much be necessary ..        | 250.00   |
| File Cabinet .....                                  | 150.00   |
| Purchase of typewriter .....                        | 400.00   |

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 25,640.00

## (E) MASTER'S OFFICE

|  |           |
|--|-----------|
| Salary, Master .....   | 10,500.00 |
| Travel and official expense, Master .....  | 430.00    |
| Salary, Court Reporter .....   | 5,200.00  |
| Salary, Assistant Court Reporter .....   | 4,680.00  |
| Salary, Bookkeeper .....   | 4,160.00  |
| Allowance for Court Reporters' fees or Stenographers' fees by independent contracts, if so much be necessary ..... | 2,000.00  |
| Purchase of Autograph Recorder .....   | 353.80    |
| Purchase of Steno-mask .....   | 137.20    |

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 27,461.00

*Provided*, that the initial salary of the Court Reporter or Assistant Court Reporter, if replaced, shall be at the figures above set forth, notwithstanding any section herein contained to the contrary.

## (F) STANDING MASTER'S OFFICE

|   |          |
|---|----------|
| Salary, Standing Master .....                   | 5,686.93 |
| Official expense, Standing Master .....         | 600.00   |
| Salary, Court Reporter .....                    | 3,199.45 |
| Extra clerical hire, if so much be necessary .. | 300.00   |

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 9,786.38

*Provided*, that the Standing Master shall charge and turn over to the Treasurer of

Richland County the same fees as the regular  
Master.

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TOTAL, ITEM 2 .....\$246,146.57

### ITEM 3. LAW ENFORCEMENT DEPARTMENT

#### (A) SHERIFF'S OFFICE

|  |             |
|--|-------------|
| Salary, Sheriff .....                        | \$ 8,570.00 |
| Travel and official expense, Sheriff .....   | 430.00      |
| Salary, Chief Deputy .....                   | 5,474.19    |
| Travel and official expense, Chief Deputy .. | 430.00      |
| Salary, Identification Officer .....         | 4,197.18    |
| Salary, Juvenile Officer .....               | 4,125.64    |
| Salary, Process Server .....                 | 4,954.19    |
| Salary, Process Server .....                 | 4,954.19    |
| Salary, Investigator .....                   | 4,669.77    |
| Salary, Investigator .....                   | 4,254.50    |
| Salary, Investigator .....                   | 4,254.50    |
| Salary, Investigator .....                   | 4,254.50    |
| Salary, County Deputy .....                  | 4,316.24    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,254.50    |
| Salary, County Deputy .....                  | 4,197.18    |
| Salary, County Deputy .....                  | 4,008.33    |
| Salary, County Deputy .....                  | 4,008.33    |
| Salary, County Deputy .....                  | 3,836.35    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 4,008.33    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 3,619.20    |
| Salary, County Deputy .....                  | 3,480.00    |
| Salary, County Deputy .....                  | 3,480.00    |

|  |           |
|--|-----------|
| Salary, County Deputy .....  | 3,480.00  |
| Salary, County Deputy .....  | 3,480.00  |
| Salary, Record Clerk .....   | 3,244.80  |
| Salary, Communications Operator .....  | 3,120.00  |
| Salary, Communications Operator .....  | 3,120.00  |
| Salary, Communications Operator .....  | 3,120.00  |
| Salary, Secretary .....  | 3,847.38  |
| Salary, Secretary .....  | 3,244.80  |
| 4 School crossing guards @ \$900.00 each ..  | 3,600.00  |
| Long distance telephone and transportation of<br>prisoners, if so much be necessary .....                    | 3,000.00  |
| Fingerprint and photo supplies .....   | 1,000.00  |
| Radios and equipment .....   | 3,355.83  |
| Contingent Fund .....  | 500.00    |
| Deputy Sheriffs—uniforms, plain clothes and<br>equipment .....   | 6,100.00  |
| Uniforms, School crossing guards .....   | 400.00    |
| Insurance, fuel, repairs and maintenance of<br>county-owned Sheriff's cars, if so much be<br>necessary ..... | 21,000.00 |
| Five new cars (five old ones to be traded in),<br>if so much be necessary .....                              | 9,500.00  |
| Purchase of one new car .....  | 2,400.00  |

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 211,548.23

*Provided*, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semi-annually by the County Board of Commissioners on competitive basis as needed; *provided*, further, that the time of purchase of summer uniforms and clothes be changed in order to be available for use prior to July of preceding fiscal year. *Provided*, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided*, further, that all clothes, equipment and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall

cease to be employed by the county. *Provided*, further, that the appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided*, further, that the County Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

## (B) CORONER'S OFFICE

|  |            |
|--|------------|
| Salary, Coroner .....  | 7,214.00   |
| <i>Provided</i> , the office of the Coroner be a full-time office. |            |
| Travel and official expense .....                                  | 1,500.00   |
| Coroner's Deputy, official expenses .....                          | 510.00     |
| Stenographic services, if so much be necessary .....               | 1,275.00   |
| Jurors and communication expenses .....                            | 700.00     |
|  | <hr/>      |
|  | 11,199.00. |

*Provided*, that the Coroner shall call upon county physicians to hold post mortem examination. *Provided*, further, that the Coroner attest and furnish such affidavits as might be necessary to the Treasurer. *Provided*, further, that the Coroner pay each juror two dollars as a jury fee.

*Provided*, also, that the Coroner shall use his best discretion in having inquests taken down by a stenographer to the end that \$1,275.00 herein appropriated for stenographic services shall in no event be exceeded.

## (C) MAGISTRATES AND CONSTABLES

|   |          |
|---|----------|
| Blythewood, Magistrate, Salary .....          | 2,323.86 |
| Blythewood, Magistrate, official travel ..... | 300.00   |
| Blythewood, Magistrate, office rent .....     | 120.00   |
| Blythewood, Constable, Salary .....           | 1,863.06 |
| Columbia, Magistrate, Salary and expense ..   | 4,197.94 |

|  |          |
|--|----------|
| Columbia, Magistrate, Director, Check Clearing House .....         | 1,200.00 |
| Columbia, Magistrate, Stenographer, salary ..                      | 3,961.47 |
| Columbia, Constable, Salary .....                                  | 3,435.16 |
| Columbia, Constable, official travel .....                         | 300.00   |
| Dutch Fork, Magistrate, Salary .....                               | 3,287.36 |
| Dutch Fork, Magistrate, official travel .....                      | 450.00   |
| Dutch Fork, Magistrate, office rent .....                          | 420.00   |
| Dutch Fork, Constable, Salary .....                                | 3,536.50 |
| Dutch Fork, Constable, official travel .....                       | 800.00   |
| Dutch Fork, Constable, school .....                                | 450.00   |
| Eastover, Magistrate, Salary .....                                 | 2,544.34 |
| Eastover, Magistrate, official travel .....                        | 600.00   |
| Gadsden, Magistrate, Salary .....                                  | 2,323.86 |
| Gadsden, Magistrate, official travel .....                         | 300.00   |
| Eastover and Gadsden, Constable, Salary ...                        | 4,731.00 |
| Garners, Magistrate, Salary .....                                  | 2,875.06 |
| Garners, Magistrate, official travel .....                         | 300.00   |
| Garners, Magistrate, rent, office expense and telephone .....      | 640.00   |
| Garners and Lykesland, Constable, Salary ..                        | 3,417.44 |
| Garners and Lykesland, Constable, official travel .....            | 900.00   |
| Hopkins, Magistrate, Salary .....                                  | 2,515.68 |
| Hopkins, Magistrate, official travel .....                         | 300.00   |
| Hopkins, Magistrate, office rent, lights, fuel and telephone ..... | 425.00   |
| Hopkins, Constable, Salary .....                                   | 3,177.12 |
| Hopkins, Constable, official travel .....                          | 750.00   |
| Killian, Magistrate, Salary .....                                  | 2,544.34 |
| Killian, Magistrate, official travel .....                         | 600.00   |
| Killian, Magistrate, rent, supplies and telephone .....            | 600.00   |
| Killian, Constable, Salary .....                                   | 2,875.06 |
| Killian, Constable, official travel .....                          | 600.00   |
| Killian, Magistrate, part-time stenographer ..                     | 1,200.00 |
| Lykesland, Magistrate, Salary .....                                | 2,875.06 |
| Lykesland, Magistrate, official travel .....                       | 300.00   |
| Lykesland, Magistrate, rent, office expense and telephone .....    | 625.00   |

|   |            |
|---|------------|
| Lykesland, Magistrate, capital outlay for heat                | 100.00     |
| Olympia, Magistrate, Salary .....                             | 4,515.72   |
| Olympia, Magistrate, rent and official expense                | 900.00     |
| Olympia, Magistrate, Stenographer, Salary ..                  | 2,800.00   |
| Olympia, Constable, Salary .....                              | 4,094.31   |
| Olympia, Constable, official travel .....                     | 1,500.00   |
| Pontiac, Magistrate, Salary .....                             | 2,544.34   |
| Pontiac, Magistrate, official travel and rent ..              | 600.00     |
| Pontiac, Constable, Salary .....                              | 2,544.34   |
| Pontiac, Constable, official travel .....                     | 300.00     |
| Upper Township, Magistrate, Salary .....                      | 4,557.32   |
| Upper Township, Magistrate, official travel ..                | 600.00     |
| Upper Township, Magistrate, rent and office expense .....     | 900.00     |
| Upper Township, Constable, Salary .....                       | 3,205.78   |
| Upper Township, Constable, official travel ..                 | 600.00     |
| Upper Township, part-time stenographer .....                  | 1,200.00   |
| Waverly, Magistrate, Salary and expense ...                   | 4,226.60   |
| Waverly, Magistrate, rent, office expense and telephone ..... | 1,128.00   |
| Waverly, Constable, Salary .....                              | 3,435.16   |
| Waverly, Constable, official travel .....                     | 300.00     |
| Waverly, Stenographer, Salary .....                           | 2,628.06   |
| Magistrate's forms .....                                      | 100.00     |
| Uniforms for Magistrates' Constables .....                    | 1,000.00   |
| Jury fees of Magistrates .....                                | 500.00     |
|   | <hr/>      |
|   | 108,943.94 |

*Provided*, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided*, further, that the Magistrates of Columbia, Eastover, Garners, Hopkins, Lykesland and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided*, further, that all Magistrates establish office hours or schedule of hours and certain designated places for trying cases in their respective districts. *Provided*, further, that out of the one hundred dol-

lars for Magistrates' forms herein appropriated, the Supervisor and County Board of Commissioners shall purchase serially numbered receipts, in triplicate, in sufficient detail so as to provide all pertinent information with respect to cases handled by Magistrates in Richland County; and the Supervisor and Board of Commissioners shall deliver the receipts to the Treasurer of Richland County, advising how same shall be used. *Provided*, further, that each Magistrate shall make and file with the County Supervisor, each month, a verified report of criminal cases begun before him and their status and disposition, together with a list of all fines collected. The County Supervisor shall not pay any salary to any Magistrate until he has made and filed the verified report herein required and, further, each Magistrate shall be required to produce and display to the Supervisor the Treasurer's receipt showing that the fines listed as being collected on his report have been paid to the Treasurer, and the Treasurer shall indicate by his stamp thereon that the fines have been paid to the Treasurer and the amount and the date on which the fines were paid, before the Supervisor shall release the Magistrate's pay warrant to him.

## (D) CHECK CLEARING HOUSE

|                               |          |
|-------------------------------|----------|
| Salary, Clerk .....           | 3,300.00 |
| Salary, assistant clerk ..... | 3,100.00 |
| Supplies .....                | 200.00   |

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 6,600.00

*Provided*, check clearing house shall be under the direction and supervision of such Magistrate as may be designated by a majority of the delegation, including the Senator. *Provided*, further, that all salaries and expenses

incurred are to be approved by the Richland County Delegation.

|                    |              |
|--------------------|--------------|
| TOTAL ITEM 3 ..... | \$338,291.17 |
|--------------------|--------------|

ITEM 4. ROADS AND BRIDGES:

(A) ROADS, CONVICTS AND BRIDGES

|   |              |
|---|--------------|
| Maintenance and repair .....                                    | \$127,500.00 |
| Salary, Captain, Prison Camp No. 2 .....                        | 5,956.00     |
| Salary, 3 Captains of Guards .....                              | 12,168.00    |
| Salary, 4 Foremen of Guards .....                               | 13,312.00    |
| Salary, 9 Patrol Operators .....                                | 30,888.00    |
| Salary, 24 Guards .....   | 74,880.00    |
| Salary, 1 Mechanic .....  | 3,855.07     |
| Salary, 1 Mechanic .....  | 3,764.68     |
| Salary, 2 Chaplains .....                                       | 2,425.28     |
| Official travel, Captain, Prison Camp No. 2 ..                  | 720.00       |
| Official travel, 3 Captains @ \$60.00 per month<br>each .....   | 2,160.00     |
| Replacement of old equipment, if so much be<br>necessary .....  | 30,000.00    |
| Road, street and school signs, if so much be<br>necessary ..... | 2,000.00     |
|   | 309,629.03   |

*Provided*, that the Captains of Guards, Foremen of Guards, Patrol Operators and Guards employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

(B) FARM-TO-MARKET PAVING:

|   |           |
|---|-----------|
| Salary, Superintendent .....                        | 5,015.76  |
| Travel and official expense of Superintendent ..... | 400.00    |
| Salary, Stenographer .....                          | 3,416.78  |
| Salary, Guard .....                                 | 3,507.70  |
| Salary, 8 Operators .....                           | 37,099.38 |
|   | 49,439.62 |

*Provided*, that all monies saved on farm-to-market paving contracts handled by the Super-

visor and Richland County Board of Commissioners shall be placed in a special account in the Treasurer's office to be used for paving or equipment used in such paving program upon the approval of the Senator and a majority of the Richland County House Delegation. *Provided*, further, that the operators employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

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TOTAL ITEM 4 .....\$359,068.65

ITEM 5. PUBLIC HEALTH AND WELFARE:

(A) HOSPITALIZATION

I. Columbia Hospital

Inpatient charity .....\$360,000.00

To be paid only upon claims of the Columbia Hospital to be presented monthly to cover expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by the hospital, all of such claims to be based on a rate of fourteen dollars per day per patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed thirty thousand dollars per month; and *provided*, further, that the Board of Trustees of the Columbia Hospital is authorized to place indigent patients in nursing homes of its selection at costs not to exceed \$42.00 per month to the hospital or to pay such money over to the Public Welfare Department for such purposes, and to pay same out of the amount hereinabove appropriated.

Outpatient charity clinic ..... 30,000.00

*Provided*, that the Board of Trustees of the Columbia Hospital is authorized to hire a part-time director of the clinic at a salary not

to exceed \$4,000.00 per year to be paid out of the amount hereinabove appropriated.

*Provided*, that the hospital shall cooperate with the State Board of Health and work in conjunction with the county physicians.

- II. Good Samaritan-Waverly Hospital, if so much be necessary, for charity ..... 25,000.00

*Provided*, that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by the hospital. All of such claims to be based on a charge of \$7.50 per day, per patient for the first thirty days of hospitalization of a particular patient; on a basis of \$3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of \$2.50 per day for succeeding days of hospitalization for that patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed \$2,083.33 per month; *provided*, further, that such advance shall not exceed the patient per diem filed by the Good Samaritan-Waverly Hospital for the preceding month.

- III. Richland Tuberculosis Association ..... 53,784.82

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468,784.82

- (B) VITAL STATISTICS ..... 2,500.00

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2,500.00

- (C) I. COUNTY HEALTH DEPARTMENT ... 57,501.80

- II. Dog control program ..... 4,800.00

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62,301.80

*Provided*, that all fees collected by the Health Department shall be deposited with the Coun-

ty Treasurer to be credited on the county general fund; *provided*, further, that none of the above appropriation shall be spent without the approval of the County Health Officer; *provided*, further, that if the above amount does not equal twenty cents per capita for the county's population according to the official 1950 Federal Census, such additional amount is hereby appropriated.

*Provided*, further, that the Director of the County Health Department shall file with the County Board of Commissioners an itemization of the above appropriation on or before July 1, 1963.

|                                   |          |
|-----------------------------------|----------|
| (D) SALARY, TWO COUNTY PHYSICIANS | 3,835.80 |
|                                   | <hr/>    |
|                                   | 3,835.80 |

*Provided*, that six hundred dollars of the above amount shall be paid to the county physicians for mental examinations of service men and women for admittance to the Veterans Administration Hospital.

|   |           |
|---|-----------|
| (E) WELFARE AGENCIES  |           |
| (1) Carolina Children's Home .....  | 7,500.00  |
| <i>Provided</i> , that no monthly vouchers shall exceed the number of Richland County children certified by the proper authorities, and payment to be made on the basis of fifteen dollars per month per child and at no time shall the number exceed fifty children. |           |
| (2) Association of the Blind for South Carolina   | 2,000.00  |
| (3) Traveler's Aid Society .....  | 600.00    |
|   | <hr/>     |
|   | 10,100.00 |

|  |          |
|--|----------|
| (F) CONVALESCENT HOME                    |          |
| Salary, Superintendent .....             | 3,705.43 |
| Salary, Matron .....                     | 1,796.91 |
| Salary, Maintenance Man .....            | 2,511.27 |
| Salary, 2 Nurses @ \$2,359.14 each ..... | 4,718.28 |

|   |           |
|---|-----------|
| Salary, 1 Nurse .....                     | 2,272.07  |
| Salary, 1 Nurse .....                     | 1,081.60  |
| Salary, 1 Cook .....                      | 1,565.41  |
| Salary, 1 Cook .....                      | 1,384.61  |
| Salary, 1 Laundress .....                 | 1,565.41  |
| Salary, 1 Maid .....                      | 1,261.15  |
| Salary, 1 Watchman .....                  | 2,043.85  |
| Supplies, operation and maintenance ..... | 16,217.14 |
| Repairs .....                             | 2,000.00  |

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 42,123.13

*Provided*, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and training; *provided*, further, that all monies by way of pensions, contributions or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in the Richland County Convalescent Home, shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Richland County Board of Commissioners shall have the right to use such monies so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convalescent Home if necessary. *Provided*, further, that complete records of same be maintained and included in the annual county audit.

## (G) COUNTY SERVICE OFFICER

|  |          |
|--|----------|
| Salary, County Service Officer .....           | 5,514.76 |
| Salary, Assistant Service Officer .....        | 3,696.24 |
| Official expense, Assistant Service Officer .. | 240.00   |
| Supplies and equipment .....                   | 500.00   |

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 9,951.00

*Provided*, that the Assistant Service Officer shall be on call for secretarial assistance, as required, to the legislative delegation or the administrative assistant thereof.

## (H) DEPARTMENT OF PUBLIC WELFARE

|  |           |
|--|-----------|
| Salary, Director (Supplement) .....                        | 1,848.17  |
| Official travel, 5 welfare workers .....                   | 2,400.00  |
| Supplement to salaries of employees .....                  | 3,174.91  |
| Child Welfare account, clothing, boarding homes, etc. .... | 2,500.00  |
| Emergency Fund .....                                       | 3,600.00  |
| Telephone .....  | 900.00    |
| Rent .....   | 4,200.00  |
| Heat, lights, water and electricity .....                  | 1,550.00  |
| Janitor service .....                                      | 748.80    |
|  | <hr/>     |
|  | 20,921.88 |

## (I) CHILDREN'S HOME

|                                 |           |
|---------------------------------|-----------|
| Salary, Superintendent .....    | 2,581.82  |
| Salary, Manager .....           | 2,383.39  |
| Salary, Matron .....            | 2,193.78  |
| Salary, Janitor .....           | 1,027.43  |
| Salary, Cook .....              | 1,027.43  |
| Operating and maintenance ..... | 8,600.00  |
|                                 | <hr/>     |
|                                 | 17,813.85 |

*Provided*, that all funds received by the Children's Home from other sources be turned over to the Treasurer of Richland County.

|                    |                    |
|--------------------|--------------------|
| TOTAL ITEM 5 ..... | <hr/> \$638,332.28 |
|--------------------|--------------------|

## ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

## (A) COOPERATIVE EXTENSION WORK

|  |             |
|--|-------------|
| Salary, County Agent .....               | \$ 1,779.74 |
| Official travel, County Agent .....      | 180.00      |
| Salary, 2 Assistant County Agents .....  | 960.00      |
| Salary, Stenographer, County Agent ..... | 1,462.80    |
| Salary, Home Agent .....                 | 979.44      |

|   |              |
|---|--------------|
| Salary, Stenographer, Home Agent .....  | 1,125.72     |
| Demonstration materials for Home Agent ..   | 100.00       |
| White Boys' 4-H Club Work .....   | 150.00       |
| White Girls' 4-H Club Work .....  | 150.00       |
| Salary, Colored Farm Agent .....  | 1,335.60     |
| Demonstration materials, Colored Farm Agent   | 100.00       |
| Salary, Stenographer, Colored Farm Agent ..   | 2,692.06     |
| Salary, Colored Home Agent .....  | 1,178.72     |
| Office rent, lights, water and fuel, Colored<br>Farm and Home Agents .....  | 1,620.00     |
| Demonstration materials, Colored Home<br>Agent .....  | 100.00       |
| Colored Boys' 4-H Club Work .....   | 150.00       |
| Colored Girls' 4-H Club Work .....  | 150.00       |
| Long distance telephone, County Agent ....  | 100.00       |
| Long distance telephone, Home Agent .....   | 50.00        |
| Long distance telephone, Colored Farm and<br>Home Agents .....  | 75.00        |
| Tables and chairs for Agriculture Building<br>meeting room .....  | 215.19       |
|   | <hr/>        |
|   | 14,654.27    |
| (B) OTHER   |              |
| Salary, County Ranger .....   | 1,046.38     |
| Purchase of truck .....   | 1,107.25     |
| (1) Maintenance and operation of county-owned<br>jeeps .....  | 1,500.00     |
| <i>Provided, that the above amount should be<br/>expended on the basis of twenty-five dollars<br/>per month per county-owned jeep, if so much<br/>be necessary.</i> |              |
| F. F. A. Club Work .....  | 150.00       |
| Richland County Cooperative Breeders As-<br>sociation .....   | 1,000.00     |
| Salary, part-time secretary, Richland Soil<br>Conservation District .....   | 1,200.00     |
|   | <hr/>        |
| TOTAL ITEM 6 .....  | \$ 20,657.90 |

## ITEM 7. PUBLIC BUILDINGS

|   |                    |
|---|--------------------|
| (B) Lights, water and fuel .....  | \$ 12,000.00       |
| (C) Telephones .....  | 8,300.00           |
| (D) Insurance—burglary and theft .....  | 6,000.00           |
| (E) Salary, Chief Janitor .....   | 2,680.19           |
| (F) Salary, Janitor .....   | 2,568.53           |
| (G) Salary, Janitor .....   | 2,539.87           |
| (H) Salary, Janitor .....   | 2,539.87           |
| (I) Salary, Janitor .....   | 2,416.09           |
| Salary, Maid .....  | 1,576.43           |
| (J) Salary, Elevator Operator .....   | 2,854.81           |
| (K) Salary, Elevator Operator .....   | 2,768.82           |
| (L) Elevator maintenance .....  | 600.00             |
| (M) (1) Salary, Maintenance Engineer .....  | 3,751.02           |
| (2) Official expense, Maintenance Engineer .....                                  | 430.00             |
| (N) Expense of building repairs and maintenance,<br>if so much be necessary ..... | 3,300.00           |
| TOTAL ITEM 7 .....  | <hr/> \$ 54,325.63 |

*Provided*, the Maintenance Engineer, Janitors and Maids shall work under the direction and supervision of the County Supervisor or such person as he may designate for the purpose of keeping the Courthouse and County Agriculture Building, including utilities and grounds maintained, clean and in a state of good repair at all times. They shall perform only the duties and work and such hours as the County Supervisor or such person as he may designate may prescribe. *Provided*, further, that the hours of operation, maintenance, and cleanliness of elevators, shall be under the supervision of the County Supervisor or such person as he may designate.

|                                    |                    |
|------------------------------------|--------------------|
| ITEM 8. MENTAL HEALTH CLINIC ..... | \$ 18,500.00       |
| TOTAL ITEM 8 .....                 | <hr/> \$ 18,500.00 |

## ITEM 9. MISCELLANEOUS

- (A) For tenure, county employees, twenty-five years' service .....\$ 1,560.00
- (B) Voting machines ..... 14,345.00
- (C) South Carolina Retirement System ..... 23,450.00
- (D) Social Security ..... 30,000.00
- (E) National Guard units in Richland County ... 6,500.00
- (1) *Provided*, that such sum shall be allocated to the National Guard units in Richland County not on active duty.
- (2) Permanent improvements for National Guard Armory ..... 2,000.00
- (F) Livestock Exhibit, if so much be necessary .. 500.00
- (G) Board of Registration ..... 3,500.00  
*Provided*, that the members of the Board of Registration shall be paid at the rate of ten dollars per day actually served.
- (H) Contingent Fund ..... 30,000.00
- (I) Richland County Library ..... 72,000.00
- (J) The Hearing and Speech Center ..... 5,000.00
- (K) Carolina Carillon ..... 2,000.00
- (L) Columbia Museum of Art ..... 26,000.00
- (M) Town of Eastover, toward drainage improvement ..... 1,250.00  
*Provided*, the Mayor and Councilmen of the Town of Eastover raise at least \$1,250.00 and show to the Board of Commissioners that such amount is raised and available and that the combined amounts are to be applied toward drainage improvement.
- (N) Capitol View Fire Department ..... 650.00
- (1) *Provided*, that all persons within the area covered by the charter of Capitol View Fire Department shall be served. *Provided*, further, that a similar amount be matched by local contributions.
- (2) For survey and mapping of district ..... 750.00
- (O) Civil Defense ..... 6,400.00
- (P) Columbia Township Auditorium ..... 10,000.00

|   |           |
|---|-----------|
| (Q) Industrial Development Commission of the<br>Columbia Chamber of Commerce, if so much<br>be necessary .....  | 21,000.00 |
| (R) Sheltered Workshop .....  | 3,300.00  |
| (S) Richland-Lexington Counties Joint Planning<br>Commission .....  | 3,934.11  |
| (T) Society for prevention of cruelty to animals ..   | 750.00    |
| (U) Historic Preservation Commission .....  | 10,000.00 |
| (V) S. C. Police Retirement .....   | 13,600.00 |
| (W) Richland Technical Education Center .....   | 35,685.00 |
| <i>Provided</i> , that the student tuition and charges<br>for attendance shall be subject to the approval<br>of the Richland County Legislative Delegation. |           |

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TOTAL ITEM 9 .....\$324,174.11

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GRAND TOTAL .....\$2,429,276.74

## ITEM 10. EDUCATION DIVISION

## (A) BOARD OF EDUCATION

|  |             |
|--|-------------|
| Salary, Superintendent of Education .....  | \$ 3,760.50 |
| <i>Provided</i> , however, if the State fails to pay<br>the Superintendent of Education a portion of<br>his salary, then such amount is hereby ap-<br>propriated as to bring his salary up to \$8,570.-<br>00 and no more. |             |
| Official travel, Superintendent of Education .....   | 900.00      |
| Salary, Chief Clerk .....  | 4,296.42    |
| Salary, Clerk .....  | 3,120.00    |
| Salary, School Lunch Clerk, Supplement to<br>State Aid .....   | 1,174.60    |
| Per diem and mileage, seven County Board of<br>Education members, if so much be necessary ..   | 1,000.00    |
| Extra clerk hire, if so much be necessary ...  | 300.00      |
| Utilities and incidentals .....  | 800.00      |
| Regional Science Fair .....  | 100.00      |
| Purchase of Filing Cabinet .....   | 130.00      |

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15,581.52

## (B) SPECIAL SERVICES

|  |           |
|--|-----------|
| Salary supplement of School Lunch Supervisor ..... | 2,954.08  |
| Salary supplement of Attendance Supervisor .....   | 3,145.70  |
| Official travel, Attendance Supervisor .....       | 750.00    |
| Salary, Coordinator of Instruction .....           | 5,616.00  |
| Official travel, Coordinator of Instruction .....  | 660.00    |
| Salary, Jeanes Supervisor .....                    | 4,368.00  |
| Official travel, Jeanes Supervisor .....           | 528.00    |
| Rent utilities, Jeanes Supervisor .....            | 525.00    |
| Workmen's Compensation Insurance .....             | 3,200.00  |
| Employees' Bond .....                              | 350.00    |
|  | <hr/>     |
|  | 22,096.78 |

TOTAL ITEM 10 .....\$ 37,678.30

*Provided*, that the expenditures listed in Item 10 shall be paid from the fifteen mill tax levied as an equalization fund for the several school districts and the remainder shall be distributed as directed below:

There is hereby levied on all taxable property of Richland County a school equalization levy of fifteen mills and, in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to wit: in School District No. 1, a tax of thirty-six mills for local school purposes; in School District No. 2, a tax of sixteen mills for local school purposes; in School District No. 5, a tax of twenty-two mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the board of trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. *Provided*, that the tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexington County School District No. 5. The fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per pupil average daily

attendance basis for the fiscal year prior to the collection. *Provided*, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed fifteen thousand five hundred eighty-one dollars and fifty-two cents as set forth in Section (A) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1963-64. *Provided*, further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed twenty-two thousand ninety-six dollars and seventy-eight cents, as set forth in Section (B) above, said sum to be used for the purpose of paying salaries and expenses for special services of the office of the Richland County Superintendent of Education rendered to Districts 2, 5 and 6 for the fiscal year 1963-64. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts 2, 5, and 6. *Provided*, that the local school boards of trustees of School Districts 2, 5, and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

**SECTION 2.** It shall be the duty of the head of each department to inquire of the Clerk of the County Board of Commissioners, at the close of each quarter, the status of the appropriation for his department; and it shall be the further duty of the head of each department, if expenditures are running ahead of appropriations, to bring such expenditures in line with the appropriation. *Provided*, that if any department head exceeds the appropriation for his department, such overdraft shall be deducted from said department head's salary.

**SECTION 3.** The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, S. C., and disburse same by

checks issued by the duly authorized officer or employee of said hospital.

The Treasurer of Richland County is hereby authorized and directed to turn over to the secretary of the legislative delegation sufficient moneys from the General Fund of the county to pay the cost of supplies and official legislature expense. The secretary to the delegation shall deposit same in a bank to be expended upon approval of the Senator and at least half of the members of the House of Representatives from Richland County.

**SECTION 4.** All of the county officers of Richland County may close their offices on Saturday of each week at twelve o'clock noon, except in emergency. *Provided*, that all county offices shall be open not later than nine o'clock A. M., and close not sooner than five o'clock P. M. on all other work days; and *provided*, further that the minimum work week for all county employees shall be forty hours.

**SECTION 5.** The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of the clerk of court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in said office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation within ten days after the preparation thereof. Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organization until such audit is filed.

**SECTION 6.** Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school districts of the county a separate warrant or order, directed to the county treasurer, signed by a majority of the board of trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided*, nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calendar year, also for the payment of separate bills, amounting to

less than one hundred dollars each for special services or school materials properly payable from school operation and maintenance funds, it shall be lawful for a board of trustees to issue a consolidated or "master" warrant on the county treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in any current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the county superintendent of education, in his discretion, to process all such master warrants for payment without prior reference to said county board. The processed master warrant shall be deposited by the district's disbursing agent in a separate account in a Columbia F.D.I.C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The county superintendent of education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety, is to be construed as an optional alternate procedure in paying salaries of whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

**SECTION 7.** All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time; when, in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and/or to conform with the revenue expected during the life of this act. *Provided*, however, that no such action shall be taken except in the course of a duly called public meeting of the delegation, after due notice of the heads of the respective departments to be thereby affected. The Treasurer of Richland County is authorized to extend credit for recording Federal agricultural papers.

**SECTION 8.** All salaried constables in Richland County shall be deputized to preserve order in their respective magisterial districts.

**SECTION 9.** All county-owned construction equipment, automobiles, station wagons and trucks except two such automobiles used by the sheriff's office, one for detective work and the other for process serving, and the automobile used by the Supervisor of Richland County, shall be, within ten days from the effective date of this act, marked, stenciled or painted on both front doors of said vehicles as follows: "Richland County" (in letters not less than three inches in height) and directly under said words the name of the county department which operates these vehicles (in letters not less than two inches in height). After ten days from the effective date of this act no person, company or corporation shall service, supply or equip any county-owned construction equipment, automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. After ten days from the effective date of this act no county funds shall be paid out for services to or supplies and equipment furnished for county-owned automobiles, construction equipment, station wagons or trucks which are not marked pursuant to the terms of this section. Heads of county departments or agencies shall maintain a list reflecting the make, model, serial number and South Carolina license number of all county-owned vehicles and equipment in his department or agency and shall report to the Richland County Delegation prior to action taken when any county-owned vehicles or equipment are traded or disposed of in any way whatsoever. The markings herein provided for shall be kept visible at all times.

**SECTION 10.** Whenever, during the effective period of this act, a vacancy occurs in any employee position or classification provided for in this act and in the judgment of the department or agency affected it is necessary to fill such position or classification, the person newly employed shall be hired at not more than the lowest salary appropriated in this act for such position or classification within the department affected; and if there be no such other position or classification in such department the person newly employed shall be hired at not more than the lowest salary for similar positions or classifications for other departments or agencies provided for herein.

**SECTION 11.** All revenue accruing to Richland County for reimbursement, or otherwise, in excess of the amount necessary to pay appropriations herein made, shall be allocated to the general fund, unless otherwise directed by the Senator and at least one-half of the House members.

**SECTION 12.** All appropriations made in this act for travel and/or official expense shall be paid monthly on vouchers properly probated, but the amounts so paid monthly shall not exceed a sum equal to one-twelfth of the annual amount appropriated.

**SECTION 13.** Any employee who shall have tenure of twenty-five years or more in Richland County employ shall receive an additional sixty-five dollars per year, prorated on a monthly basis, over and above the salary provided in this act.

**SECTION 14.** If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item or provision of this act.

**SECTION 15.** All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

**SECTION 16.** This act shall take effect upon approval by the Governor.

Approved the 27th day of June, 1963.

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Rabbit season for Saluda County.**—Notwithstanding any other provisions of law the season for hunting rabbits in Saluda County is extended to February fifteenth for the year 1963 only.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1963.

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(R138, S199)

No. 649

**An Act To Create A Historical Commission For Saluda County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Historical Commission created for Saluda County.**—There is hereby created a Historical Commission for Saluda County, to be composed of seven members to be appointed by the Governor on the recommendation of a majority of the County Legislative Delegation, including the Senator. The members of the commission shall be appointed for terms of three years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term. The commission, upon being appointed, shall meet and elect a chairman and secretary-treasurer. The members of the commission shall serve without compensation.

**SECTION 2. Powers and duties.**—The commission shall select markers and upon approval of the County Legislative Delegation appropriately mark and designate points and places of historical interest in Saluda County, and shall be responsible for the upkeep of such historical sites. No marker shall be placed on any property without the consent of the owner. It shall receive and disburse funds, accept donations, compile, print and sell historical pamphlets, and may do such other things as it deems necessary to carry out the purposes of this act. The commission may cooperate with any agency, group or other county or counties which it may desire to cooperate with in order to carry out its duties. In addition, the commission shall advise the County Legislative Delegation on matters of historical interest in the

county and shall submit an annual report of its activities to the County Legislative Delegation.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R505, H1861)

**No. 650**

**An Act To Provide For The Levy Of Taxes For Saluda County For School And County Purposes For The Fiscal Year Commencing July 1, 1963; To Provide For The Expenditure Thereof; And To Provide For Other County Purposes.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax of       mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1963, to June 30, 1964, for the amounts and purposes hereinafter mentioned :

Item 1. Roads and Bridges :

Maintenance of Roads and Bridges, tractor force  
and convicts, and purchase of concrete pipe . . . . \$ 50,000.00  
Any balance that might be in Item 1 at the end  
of the fiscal year (June 30, 1963) shall be trans-  
ferred to Item 1 for the new fiscal year 1963-  
1964, and shall be in addition to the amount set  
forth in Item 1.

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Total, Item 1 . . . . . \$ 50,000.00

Item 2. Salaries, payable monthly :

Clerk of Court . . . . . \$ 1,100.00  
Treasurer (County's part) . . . . . 1,000.00  
Auditor (County's part) . . . . . 1,000.00  
Chairman, Board of Commissioners, for full time 4,140.00  
Travel Expense . . . . . 1,500.00  
The Chairman of the Board of Commissioners,  
in connection with his employment as such, shall

be furnished gasoline from the pumps located at the County Home for official business.

|  |          |
|--|----------|
| Two County Commissioners @ \$700.00 each, and expenses ..... | 1,400.00 |
| Clerk of Board and Tax Collector .....                       | 2,850.00 |
| Superintendent of Education, salary .....                    | 450.00   |
| Travel expense .....   | 600.00   |
| Judge of Probate .....                                       | 2,750.00 |

*Provided*, that the Judge of Probate shall receive in addition to the above all fees collected by him for the issuance of marriage licenses. The fee for each such application and marriage license issued by him shall be \$2.50.

|   |          |
|---|----------|
| Magistrate at Courthouse .....  | 1,500.00 |
| Magistrate at Ridge Spring .....  | 750.00   |
| Constable at Ridge Spring, to be deputized by Sheriff, at Sheriff's discretion .....                  | 400.00   |
| Two Magistrates at \$300.00 each .....  | 600.00   |
| Two Constables to Magistrates at \$100.00 each .....  | 200.00   |
| Coroner and his Deputy .....  | 500.00   |
| Clerical help, \$10.00 for each case .....  | 120.00   |
| Travel expense .....  | 400.00   |
| Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at \$125.00 per month ..... | 1,500.00 |
| County Attorney .....   | 150.00   |
| County Physician .....  | 480.00   |

*Provided*, that the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems, without extra compensation.

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| Clerical help for Clerk of Court's Office ..... | 3,000.00 |
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*Provided*, that such help shall be employed by the Clerk of Court.

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|---------------------------------|----------|
| Treasurer's expenses .....      | 300.00   |
| Auditor's expenses .....        | 300.00   |
| Clerk of Court's expenses ..... | 350.00   |
| Sheriff .....                   | 2,700.00 |
| Sheriff's expenses .....        | 1,500.00 |

*Provided*, that the Sheriff and his family shall occupy the living quarters of the jail and shall

have full use of the county property therein, including the payment for lights and water.

*Provided*, further, that the Sheriff shall receive in addition to the above all fees collected in his office.

Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the delegation):

Deputy Sheriff, living at Saluda:

|                |          |
|----------------|----------|
| Salary .....   | 2,740.00 |
| Expenses ..... | 1,200.00 |

Deputy Sheriff, living at Ward:

|                |          |
|----------------|----------|
| Salary .....   | 2,440.00 |
| Expenses ..... | 1,500.00 |

*Provided*, it shall be the duty of each of the deputies to assist the Tax Collector in collecting delinquent taxes by serving notice of executions or otherwise as directed by the Tax Collector. Such deputies shall receive \$3.50 for each execution served. The two deputies above-mentioned shall be clothed with authority to arrest without warrant any person known or suspected by them, upon satisfactory information, of violation of any of the criminal laws of the State. *Provided*, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided*, further, that the deputy sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; and *provided*, further, that if the deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the legislative delegation. The Sheriff or deputy sheriffs shall transfer all lunatics to the asylum free of all costs, except actual expenses. *Provided*, further, that the deputy sheriffs shall work under the direction of the Sheriff and shall devote their entire time to the duties of the office.

The Sheriff or deputy sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

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|-------------------------------|----------|
| Tax Collector .....           | 1,500.00 |
| Tax Collector, expenses ..... | 150.00   |

*Provided*, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

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| Total, Item 2 ..... | \$ 41,070.00 |
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Item 3. Board of Assessors and Equalization, if so much be necessary .....\$ 1,500.00

*Provided*, that each member of the board of assessors shall receive compensation in the sum of thirty dollars (\$30.00) annually; and *provided*, further, that the county board of equalization shall meet upon the call of the county auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

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| Total, Item 3 ..... | \$ 1,500.00 |
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Item 4. Jail expenses, including dieting of prisoners at one dollar and forty cents per day each, and bedding, less lights .....\$ 2,500.00

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|----------------------------|----------|
| Jurors and witnesses ..... | 1,800.00 |
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|---|----------|
| Water and fuel—Courthouse and Agricultural Building ..... | 1,450.00 |
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|                                    |        |
|------------------------------------|--------|
| Lights for Courthouse Square ..... | 112.00 |
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|--|----------|
| Lights for Jail, Agricultural Building, Courthouse and County Farm ..... | 2,200.00 |
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|---|--------|
| Saluda Chamber of Commerce, industrial developments ..... | 750.00 |
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|                           |          |
|---------------------------|----------|
| National Guard Unit ..... | 1,200.00 |
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*Provided*, that this amount shall be divided equally between the two companies.

Telephones located as follows: one in Treasurer's office, one in Commissioners' office, one in Judge of Probate's office, one in Civil Defense office,

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|--|----------|
| one in County Jail, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home, and one in Sheriff's office; and long distance calls ..... | 1,450.00 |
| For Sheriff's travel expense outside of Saluda County .....  | 100.00   |
| Courthouse supplies and Agricultural Building (including janitor and two telephones for Agricultural Building) .....   | 1,425.00 |
| Twelve months' rent, lights, fuel for Welfare Department, at \$45.00 per month .....   | 540.00   |
| Twelve months' rent for Unemployment Board .....   | 180.00   |
| Vital Statistics .....   | 125.00   |
| Saluda Standard—Printing County Reports ...  | 100.00   |
| Miscellaneous office expenses, if so much be needed:   |          |
| Clerk of Court .....   | 1,200.00 |
| Sheriff .....  | 125.00   |
| Judge of Probate, office equipment .....   | 300.00   |
| Treasurer .....  | 250.00   |
| Office expense for tax billing machine .....   | 500.00   |
| Superintendent of Education .....  | 75.00    |
| Auditor .....  | 275.00   |
| Commissioners' Office .....  | 150.00   |
| Magistrate's Office, printing necessary blanks ..  | 150.00   |
| <i>Provided</i> , that the bills for printing herein authorized shall be paid upon separate bills rendered by any county officer.  |          |
| <i>Provided</i> , magistrates' jurors shall receive as compensation one dollar per day.  |          |
| Tax Collector, books and stationery .....  | 225.00   |
| <i>Provided</i> , above office expense appropriations shall be excepted from provisions of Section 5.  |          |
| Auditing County Officers' Books .....  | 500.00   |
| Agricultural Department:   |          |
| 4-H Boys' Club .....   | 50.00    |
| 4-H Girls' Club .....  | 50.00    |
| F.F.A. Boys' Club, Saluda .....  | 75.00    |
| J.H.A. Girls' Club, Saluda .....   | 75.00    |

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| F.F.A. Boys' Club, Hollywood .....              | 75.00        |
| J.H.A. Girls' Club, Hollywood .....             | 75.00        |
| F.F.A. Boys' Club, Ridge Spring .....           | 75.00        |
| J.H.A. Girls' Club, Ridge Spring .....          | 75.00        |
| N.H.A., Riverside .....                         | 75.00        |
| N.F.A., Riverside .....                         | 75.00        |
| County Agent .....                              | 75.00        |
| Home Demonstration Agent .....                  | 100.00       |
| Supplement to present County Agent's salary ... | 500.00       |
| Travel expense .....                            | 700.00       |
| Welfare Board .....                             | 648.00       |
| Health Center .....                             | 4,000.00     |
| Mental Health .....                             | 2,200.00     |
| Civil Defense .....                             | 3,600.00     |
| <hr/>   |              |
| Total, Item 4 .....                             | \$ 30,205.00 |

## Item 5. Miscellaneous Contingent:

*Provided*, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955:

All court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court. Mileage shall be paid for the distance from home to place of inquest one way only.

Post mortems, inquests and lunacies

Transportation to State Hospital

Insurance on officers' bonds

Saluda County's proportional expense of S. C.

Retirement System and Withholding Tax

Insurance and Sinking Fund

Insurance of county employees

Any funds paid out of the general miscellaneous contingent fund account, not approved in the county appropriations act, must be approved by the Saluda County Legislative Delegation.

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GRAND TOTAL .....\$122,775.00

Less Estimated Revenue, other than Taxes:

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|---------------------|--------------|
| Gas Tax .....       | \$ 53,940.00 |
| Income Tax .....    | 14,000.00    |
| Other Revenue ..... | 14,904.00    |

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| Total ..... | \$ 82,844.00 |
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TO BE RAISED BY TAXATION ..... \$ 39,931.00

**SECTION 2.** The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering of any mortgage or other instrument conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided*, that Saluda County is specifically excepted from the provisions of Section 27-61, of the 1962 Code. Notwithstanding the provisions of Section 27-96 of the 1962 Code, the clerk of court shall charge one dollar and fifty cents for recording a deed, and one dollar and twenty-five cents for recording a mortgage on real estate.

**SECTION 3.** The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected and the tax collector shall retain one dollar and fifty cents out of every such execution.

**SECTION 4.** In anticipation of the collection of 1963 taxes, the county board of commissioners and the treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1963 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

**SECTION 5.** The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished. Any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided*, however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County Legislative Delegation, in addition to the punishment now provided by law.

**SECTION 6.** All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them, and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1963, September 30, 1963, December 31, 1963, March 31, 1964, and June 30, 1964, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the people of the county. Any person who fails to file his report will not be paid his salary until the report is filed and he may be removed from office, in the discretion of the legislative delegation.

**SECTION 7.** All county officers shall be paid monthly and such payment shall not exceed one-twelfth of the amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency, and if it be necessary and by consent of the delegation.

**SECTION 8.** As soon as the total amount of property for taxation has been ascertained for the year 1963, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriations herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

**SECTION 9.** The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and he shall employ a janitor and shall have supervision over the janitor at

all times. The chairman may designate someone to assist him during his absence.

**SECTION 10.** Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1963-1964, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

**SECTION 11.** The treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1963-1964 in a separate fund to be known as "General School Fund", and this fund may be used at the discretion of the county superintendent of education by and with the consent of the county board of education.

**SECTION 12.** If, for any cause, the office of the chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

**SECTION 13.** All offices of the courthouse may be closed at 1:00 o'clock p. m., every Saturday afternoon and every Thursday afternoon.

**SECTION 14.** The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

**SECTION 15.** The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board to the end that the farm may supplement the funds provided for the county chain gang.

**SECTION 16.** A reasonable rent shall be charged Federal agencies renting county-owned property. Such monies as are received from this source shall be placed in a special agricultural fund to be used for improvements on such buildings as are rented pursuant to the terms of this section, or for other purposes in the discretion of the legislative delegation.

**SECTION 17.** No tax levy for school purposes shall be effective unless approved by the legislative delegation from the county.

**SECTION 18.** All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by the

board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

**SECTION 19.** The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

**SECTION 20.** All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

**SECTION 21.** All county offices shall be closed each year on the following days: January first, July fourth, the first Monday in September, Thanksgiving Day, and December twenty-fifth and twenty-sixth.

**SECTION 22.** If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

**SECTION 23.** This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R53, H1132)

**No. 651**

**An Act To Amend Act No. 26 Of The Acts Of 1953, Relating To School District No. 6 And Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 26 of 1953 amended—Spartanburg County School District 6 may issue bonds.**—Section 1 of Act No. 26 of the Acts of 1953 is amended by striking the word "eight" on line 5 and inserting in lieu the word "twelve", so that when so amended the section will read as follows:

"Section 1. The Trustees of Spartanburg County School District No. 6, of Spartanburg County, the State of South Carolina, are hereby authorized and empowered to sell coupon bonds of said school district to an amount such that the net bonded indebtedness at no time shall exceed twelve per cent of the last assessed valuation or the current assessed valuation of said school district for the purpose of building and equipping school buildings."

**SECTION 2. Section 2 of Act 26 of 1953 amended—maturity—interest—denominations.**—Section 2 of Act No. 26 of the Acts of 1953 is amended by striking on lines 3 and 4 the following: “rate not exceeding four per cent per annum” and inserting “the best available rates”; amend further by striking the word “ten” on line two and inserting the word “twenty”, so that when so amended the section shall read as follows:

“Section 2. Any bonds issued pursuant to this act shall mature not more than twenty years from date thereof, and shall bear interest from date at the best available rates, payable annually or semi-annually, as the trustees may elect, and shall be in such denominations as the said trustees may elect.”

**SECTION 3. Time effective.**—This act shall take effect upon its approval by the Governor.

Approved the 18th day of February, 1963.

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(R79, H1170)

**No. 652**

**An Act To Create The Hilltop Sewer District In Spartanburg County And To Provide For Its Powers And Duties.**

Whereas, the General Assembly, after due investigation has found that the area in Spartanburg County described below has become populated to an extent that it makes it necessary and desirable for the health and welfare of the inhabitants to be served by a publicly operated sewer and collection system; and

Whereas, as a consequence of its findings above recited, the General Assembly has deemed to construct the area as a special sewer and garbage collection district, thus providing a governing body for the district and empower the governing body as herein provided. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Hilltop Sewer and Garbage Collection District created in Spartanburg County—area.**—There is hereby created and established in Spartanburg County a district to be known as Hilltop Sewer and Garbage Collection District, which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory :

Beginning with the intersection of the Spartanburg City Limits with the southern boundary of the C. C. & O. Railroad right-of-way; thence along said right-of-way in an easterly direction to the center of the run of Lawson's Fork Creek; thence up the center of the run of Lawson's Fork Creek to Whitney Mill Village; thence around the boundary of Whitney Mill Village to the center of the run of Lawson's Fork Creek; and thence along the center of the run of Lawson's Fork Creek to its intersection with State Highway I-85; thence in a westerly direction along Highway I-85 to the eastern boundary of the property of Ridgeview Realty Corporation (Deering Milliken Corporation); thence along the boundary of the property of the Ridgeview Realty Corporation lying south of Highway I-85 to its intersection with U. S. Highway I-85 in the vicinity of Hearon Circle; thence in a westerly direction along U. S. Highway I-85 to its junction with the boundary of the Una Water District; thence along the boundary of the Una Water District in a southerly direction to the city limits of the City of Spartanburg; thence along the city limit line of the City of Spartanburg in an easterly direction to its intersection with Old Howard Gap Road; thence along Old Howard Gap Road to its intersection with Harvin Street; thence along Harvin Street in an easterly direction to its intersection with Howard Street; thence north on Howard Street for a distance of approximately 170 feet to the intersection of Howard Street and the property line of Glenwood Estates; thence in an easterly direction along said property line to its intersection with Centennial Street; thence in a southerly direction along Centennial Street to Little Chinquepin Creek; thence east along Little Chinquepin Creek to U. S. Highway 221; thence in a southerly direction along U. S. Highway 221 to the city limits of the City of Spartanburg; thence along the city limits of the City of Spartanburg to the point of beginning.

**SECTION 2. Commission created — members — appointments—terms—vacancies.**—The district shall be operated and managed by a commission to be known as "Hilltop Sewer and Garbage Collection Commission," which shall consist of three resident electors of the district. The following persons shall constitute the initial members of the commission and shall serve for terms as follows: W. E. Caldwell, Hilltop area, for a term of six years; Carl H. Bonner, Mayfair area,

for a term of four years; and W. T. Kerns, Allen Acres area, for a term of two years.

The regular terms of office of the members of the commission shall be for six years. In all cases, the members of the commission shall hold office until their successors qualify. The commission, except the initial members, who are named herein, shall be appointed by the Governor upon the recommendation of the Legislative Delegation from the county, including the Senator. The initial term shall begin as of the effective date of this act. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Spartanburg County, including the Senator.

**SECTION 3. Powers and duties.**—There is hereby committed to the district the functions of constructing, operating, maintaining, improving, and extending a sewer disposal system and a system for the collection of garbage in the district. To that end, the commission shall be empowered as provided below:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. Deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. Prescribe regulations requiring persons who shall be residents of the district to make use of sewer and garbage collection system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, a certified copy thereof has been recorded in the Office of the Register of Mesne Conveyance for Spartanburg County, a copy has been posted in the Spartanburg County Courthouse and in at least two other public places in the district, and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Spartanburg County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which they shall become effective. Prior to the adop-

tion of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption and such notice shall appear in a newspaper published in Spartanburg County, and having general circulation in the district, no less than seven days prior to the occasion fixed for the holding of such meeting. The provision of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of the facility, shall not be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act.

7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. Build, construct, operate and maintain sewer lines and garbage collection system throughout the district, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same.

9. Make use of county and state highway rights-of-way in which to lay the lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

10. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, of the 1962 Code, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code.

11. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

12. Make contracts for construction, engineering and other services, with or without competitive bidding.

13. Issue, under the conditions prescribed by Section 4 of this act, general obligation bonds of the district, in the amount not exceeding nine hundred thousand dollars.

14. In addition to the powers given by paragraph 13 of this section, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from all or any part of the revenue derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of its sewer and garbage collection system,

or such sum as may be needed to pay the cost of any extension, addition and improvement to the sewer and garbage collection system. If the method of financing authorized by this paragraph is used, neither the faith and credit of the State of South Carolina, nor of Spartanburg County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligation shall be personally liable thereon. That a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all the powers granted by Article 9, Chapter 4, Title 59, and by Chapter 6, Title 59, of the 1962 Code. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provisions thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provision, the district may:

(a) Provide that such bonds, notes or other evidence of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also of all revenues derived from the operation of the revenue-producing facility, whose revenues are pledged for the payment of such obligation, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declarations and its consequence may be waived.

**SECTION 4. Issuance of bonds authorized if election favorable.**—The commission, on behalf of the district, shall be empowered to issue not exceeding nine hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing a sewer and garbage collection system in the district. For the purpose of this section, the term “construct and establish” shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such system, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering service, legal service, legal expenses, plans specification, surveys, administrative expenses, and such other expenses as may be necessary or incident to the construction of the system, and the placing of same in operation. General obligation bonds shall be issued only in the event the election required by Section 5 of this act shall result favorably. All or any general obligation bonds issued pursuant to this act may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the district. The words “net revenues” as used in this paragraph shall mean that sum remaining from the aggregate of all monies realized by the district from rates and charges imposed and collected after paying the cost of operation and mainte-

nance of the facilities, whose revenue shall be pledged. If, pursuant to this paragraph, general obligation bonds are issued:

(a) They shall be issued as a single issue or from time to time as several separate issues. They shall bear such date as the commission shall determine, and the bonds of any issue shall mature in such equal or unequal installments as may be determined by the commission. They shall be made payable at such place as the commission shall prescribe, and they shall bear interest at such rate, and shall be payable in such manner as the commission may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity, on such terms and conditions, and with such redemption premium as the commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of such bonds, shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission shall reserve the right to reject any and all bids, and if all bids shall be rejected, the commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

(d) Such bonds shall be executed in the name of Hilltop Sewer and Garbage Collection District by the chairman and secretary of Hilltop Sewer and Garbage Collection Commission, under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution or authentication.

(e) There shall be irrevocably pledged, for the payment of the bonds and interest as they mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Spartanburg County are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay

the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the operation of any revenue-producing facility. In such event, such net revenues as shall be available shall be delivered to the Treasurer of Spartanburg County, and he shall set them apart in a special fund and apply them solely to the payment of the principal and interest of the bonds, so additionally secured by a pledge of such net revenues, so long as any principal or interest of the bonds remain outstanding. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues, as aforesaid, actually in the hands of the Treasurer of Spartanburg County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such monies on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid.

(f) The pledge of net revenues authorized by subparagraph (e) of this section need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds payable in whole or in part from such net revenues on a parity with the bonds authorized by this paragraph under such conditions as the commission may prescribe.

(g) The proceeds derived from the sale of such bonds shall be deposited with the Treasurer of Spartanburg County in a separate and special fund, and shall be expended upon the warrants or orders of the commission for the purposes specified herein, and no others, except that any premium received shall be deposited with the Treasurer of Spartanburg County and applied by him to the first installment of principal becoming due on the bonds, and any accrued interest received shall be applied by the Treasurer of Spartanburg County to the first installment of interest becoming due on the bonds; neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

**SECTION 5. Conduct of election.**—The commission shall make provisions for the holding of a special election in the district on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of:

the district for the purposes authorized by Section 4 of this act. The election shall be conducted by the Commissioners of Election for Spartanburg County, who shall give notice of the election by publication once each week, for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several voting precincts in the district, as the same are now established by law. The question submitted shall show on its face the primary purpose for which the proceeds of the bond issue are to be expended, and with the blank set forth therein appropriately completed. The question shall be submitted in substantially the following form:

"Shall the Hilltop Sewer and Garbage Collection District issue bonds in a sum not exceeding nine hundred thousand dollars, the proceeds of which shall be used to construct and establish  
..... in the district?

Yes ☐  
No ☐

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word "No" and that if he is opposed to the issuance of bonds, he shall erase or strike through the word "Yes". The managers of election at each precinct shall count the ballots and forthwith return the results of the election, together with the original ballots and tally sheets, to the Commissioners of Election of Spartanburg County who shall declare the results of the election. If the commissioners determine that a majority of those voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 4 of this act, but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued in accordance with the provisions of the South Carolina Election Law.

**SECTION 6. Powers and duties.**—The commission is authorized to do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

**SECTION 7. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of March, 1963.

(R115, H1038)

**No. 653**

**An Act To Provide Authority For The South Carolina State Highway Department To Undertake Relocation Of Certain Water Mains Of Liberty-Chesnee-Fingerville Water District In Spartanburg County And To Provide For Repayment Of Costs Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Highway Department may relocate certain facilities of Liberty-Chesnee-Fingerville Water District.**—The South Carolina State Highway Department is hereby authorized to procure the relocation, at its own expense, of that portion of the water main and piping of the Liberty-Chesnee-Fingerville Water District in Spartanburg County which has encroached since February 4, 1960, upon S. C. Highway No. 11 right-of-way lying between Chesnee and Fingerville. *Provided*, that such district shall enter into an agreement with the department for the repayment of the cost incurred in such relocation, from its ordinary revenue, in such annual amounts as are reasonable and just and will most expeditiously effect repayment to the department.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1963.

(R156, H1383)

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**No. 654**

**An Act To Provide That The Interest Earned From The Investment Proceeds From A Bond Issue May Be Used By The Spartanburg County Commission For Technical Training.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Spartanburg County Commission for Technical Training may use certain monies.**—Notwithstanding any other provision of law, the interest earned from the investment of proceeds derived from the bond issue authorized by Act 1228 of 1962 shall be made available for use by the Spartanburg County Commission for Technical Training.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R214, H1437)

**No. 655**

**An Act To Amend Act No. 10 Of The Acts Of 1951, Relating To A Bond Issue For School District No. 7 Of Spartanburg County, So As To Modify The Provisions Relating To The Limitation On The Bonded Indebtedness, And The Interest On And The Maturity Date Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Section 1 of Act 10 of 1951, amended—School District 7 of Spartanburg County may issue bonds.**—Section 1 of Act No. 10 of the Acts of 1951 is amended by striking on line 8 “eight (8%)” and inserting in lieu thereof “twelve”. The section when amended shall read as follows :

“Section 1. The trustees of School District No. 7, of Spartanburg County, are hereby authorized to issue and sell, from time to time, for the purpose of building and equipping school houses for that district, coupon bonds in an amount which the trustees may, in their discretion, deem advisable; but the aggregate principal amount of the bonded indebtedness of the school district shall not be increased by the issuance of the bonds in an amount which shall exceed twelve per cent of the value of all taxable property in the school district as last valued for state taxation prior to the issuance of the bonds.”

**SECTION 2. Section 2 of Act 10 of 1951, amended—maturity—interest—denominations.**—Section 2 of Act 10 of the Acts of 1951 is amended by striking on lines 3 and 4 “a rate not exceeding four (4%) per cent per annum” and inserting in lieu “the best available rate”. The section when amended shall read as follows :

“Section 2. Any bonds issued pursuant to this act shall mature not more than twenty years from the date thereof, and shall bear interest from date at the best available rate, payable annually or semiannually, as the trustees may elect, and shall be in the denominations which the trustees may elect.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 11th day of April, 1963.

(R339, S331)

**No. 656**

**An Act To Authorize The Town Of Pacolet Mills, In Spartanburg County, To Borrow Not Exceeding Twenty-four Thousand Dollars; To Provide For The Disposition Of The Funds; To Provide For Mortgaging Property To Secure The Loan; And To Provide For The Repayment Of The Loan.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of Pacolet Mills may borrow money.**—The Town of Pacolet Mills, in Spartanburg County, is hereby authorized to borrow the sum of money not exceeding twenty-four thousand dollars from a lending institution. The amount borrowed shall be evidenced by a note to be executed by the mayor, councilmen and town clerk. The note shall bear interest at the rate of three per cent per annum, and shall be payable in sixty successive, equal, monthly installments, including principal and interest in each installment, with the first installment to be paid not later than nine months from the date of the note. The borrower shall have the right to anticipate payment in whole or in part on any installment due date.

**SECTION 2. Use of money.**—The town council shall use the sum in constructing a new City Hall building upon property now owned by the Town of Pacolet Mills.

**SECTION 3. Property may be mortgaged.**—The mayor, council and town clerk are authorized to execute a mortgage over the town property to the lending institution, which mortgage shall include that lot known as Lot No. 157 on Plat Section No. 2 of a plat for Pacolet Manufacturing Company by Piedmont Engineering Service, dated May 1955, and recorded in Plat Book 32 at page 419 in the office of the Register of Mesne Conveyance for Spartanburg County, South Carolina, containing .29 of an acre of land, lying on Montgomery Avenue and Walker Avenue in the Town of Pacolet Mills, and having been conveyed to the Town of Pacolet Mills by deed of Pacolet Manufacturing Company recorded in Deed Book 23-C at page 342, R.M.C.

Office for Spartanburg County; also, that lot shown on a plat made for Pacolet Manufacturing Company by Piedmont Engineering Service dated May 20, 1957, containing .27 of an acre of land, more or less, and lying on Montgomery Avenue, the Southern Railway System spur track, and Walker Avenue in the Town of Pacolet Mills, and having been conveyed to the Town of Pacolet Mills by deed of Pacolet Manufacturing Company recorded in Deed Book 23-C at page 339, R.M.C. Office for Spartanburg County.

**SECTION 4. Payment.**—If revenues regularly received by the Town of Pacolet Mills from the operation of its water system and other sources are insufficient to repay the loan as it becomes due, then the Town of Pacolet Mills shall levy and collect a tax on all taxable property within the town limits sufficient to supply the additional revenue needed to make such payments, and the entire proceeds of such levy shall be applied to the payment of the note. The full faith, credit and taxing power of the Town of Pacolet Mills are irrevocably pledged for the payment of the indebtedness provided for in this act.

**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R375, H1671)

No. 657

**An Act To Authorize And Empower Una Water District Commission To Issue General Obligation Bonds Of Una Water District In The Principal Amount Of Not Exceeding Five Hundred Thousand Dollars, If The Election Required By This Act Shall Result Favorably; To Prescribe The Purposes For Which The Proceeds Of The Bonds Shall Be Used, The Terms And Conditions Upon Which The Bonds Shall Be Issued And To Make Provision For The Payment Of Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that Una Water District Commission was duly created by Act 582 of 1955, and Act 513 of 1959 confirmed the right of the commission to issue certain bonds. The district as originally created was empowered to incur indebtedness in the aggregate principal

amount of five hundred thousand dollars, if the election required by Act 582 of 1955 resulted favorably. An election was held upon the issuance of not exceeding five hundred thousand dollars of bonds, which resulted favorably to the issuance of the bonds, and bonds in that amount were issued and their proceeds applied to constructing and establishing a water system in the district.

**SECTION 2. Findings further.**—The General Assembly finds that Act 582 of 1955, and confirming Act 513 of 1959 provided for the commission to use the proceeds from the sale of the bonds first to the construction of a water distribution system, and all remaining funds to be used toward the construction of a sewer system within the district. The General Assembly finds that due to the densely populated area within the confines of the district that a sewer system is greatly needed for the health and welfare of the inhabitants therein, and on the basis of that finding has determined to empower the Una Water District Commission to undertake such construction of a sewer system and to borrow funds for that purpose not exceeding five hundred thousand dollars, if the election required by this act shall result favorably.

**SECTION 3. Special election covering bond issue.**—In order to determine if the authorizations of this act shall become available to it, the Una Water District Commission (herein called “the commission”) is hereby empowered to adopt a resolution ordering a special election to be held in the district on a date to be fixed by the commission. Whereupon, and if request therefor be made by the commission, it shall be the duty of the Commissioners of Election for Spartanburg County to conduct the election.

Voting places for the election shall be established in each precinct or portion thereof in the district and at such election all persons residing in the district and qualified to vote in general elections shall be eligible to vote.

Notice of the election shall be given by the commission by the publication of a notice in a daily newspaper published in Spartanburg County, setting forth the time, purpose, the question to be voted on, the qualification of voters, and the location of the several voting places, on at least three occasions; the first publication shall appear not less than twenty days before the date of the election, and the remaining publications shall be spaced at intervals of seven days.

The ballot to be used in the election shall be in form substantially as follows:

“Shall Una Water District Commission be empowered to issue not exceeding five hundred thousand dollars of general obligation bonds of Una Water District to provide funds for the construction of a sewer system in the district?

YES

NO”

Appropriate instructions shall appear on the ballot apprising persons in favor of the issuance of bonds to strike through the word “NO”, and apprising those against the issuance of bonds to strike through the word “YES”.

The election shall be conducted by managers appointed by the Commissioners of Election for Spartanburg County, who shall cause the polls to be kept continuously open from 8:00 a. m. until 6:00 p. m. on the date set for the election. Following the closing of the polls, the managers shall make their returns to the commissioners of election, who shall thereupon canvass the returns and declare the results of the election. Due notice to the commission shall be given by the commissioners of election of the results of the election, and if the commission shall cause a copy of the declaration (certified to by the commission) to be filed in the office of the Clerk of Court for Spartanburg County and in the office of the Secretary of State, no action challenging the result of the election or the validity of its holding shall be brought, unless instituted within thirty days thereafter.

**SECTION 4. Bonds may be issued if election favorable.**—If the election provided for by Section 3 hereof shall have resulted favorably, then, in order to provide funds for the construction of a sewer system for the district, the commission is hereby authorized and empowered to issue, either as a single issue, or from time to time as several separate issues, not exceeding five hundred thousand dollars of general obligation bonds of Una Water District.

**SECTION 5. Denominations — dates — maturity — interest — redemption.**—All bonds issued pursuant to the authorizations of this act shall be in such denominations, and bear such dates as the commission shall determine, and the bonds of any issue or series shall mature in such equal or unequal annual instalments as may be determined by the commission, except that the first maturing bonds of any issue or series shall mature not later than three years from their date and the last maturing bonds of any issue or series shall mature not later than thirty years from their date. They shall be made payable

at such places as the commission shall prescribe, and the bonds shall bear interest at such rates as shall be designated by the successful bidder at the sale thereof, subject to such limitations and restrictions as the commission may impose. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

**SECTION 6. Sale.**—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a daily newspaper of general circulation published in South Carolina. In offering the bonds for sale the commission may reserve the right to reject all bids, but if all bids are rejected, the bonds shall be re-advertised for sale in the same manner. If a second call for bids shall produce results unsatisfactory to the commission, the commission shall be empowered to effect a private sale of the bonds authorized hereby.

**SECTION 7. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 8. Execution.**—All bonds issued pursuant to this act and the coupons to be appertaining thereto shall be executed in such manner as the commission shall prescribe.

**SECTION 9. Payment.**—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit resources, and taxing power of Una Water District shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Spartanburg County, respectively, an ad valorem tax upon all taxable property in Una Water District without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held

by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

**SECTION 10. Proceeds.**—The proceeds derived from the sale of these bonds shall be deposited with the Treasurer of Spartanburg County in a special fund separate and distinct from all other funds, and shall be expended upon the order of the commission for the following purposes, and for no other:

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds;

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due;

(3) The principal proceeds shall be applied to: (a) the cost of issuing the bonds; and (b) the cost of constructing and acquiring adequate sewage disposal facilities in the district.

**SECTION 11. Powers to be additional.**—The power and authority hereby conferred shall be in addition to all presently existing power and authority, and not in abrogation thereof, except that authority to issue bonds by reason of previous enactments of the General Assembly not made use of on the occasion of the effective date of this act shall be deemed to have lapsed and to be of no further force or effect.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1963.

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**An Act To Provide For The Holding Of Elections In Liberty-Chesnee-Fingerville Water District In Spartanburg County And In The Adjoining Area Known As The Cannons Area; To Determine Whether The Cannons Area Shall Become A Part Of The Water District And Whether Additional Bonds Of The District Shall Be Issued If The Cannons Area Shall Become A Part Of The Water District; To Make Provision For Borrowing By The District If The Elections Result Favorably; To Prescribe The Terms And Conditions Under Which Moneys May Be Bor-**

**rowed By The District; To Make Provision For The Repayment Thereof; And To Repeal Act 1232 Of 1962, Relating To The Cannons Area Water District In Spartanburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Findings of General Assembly.**—The General Assembly finds: .

(1) Heretofore by Act 1232 of 1962 the General Assembly created certain territory in Spartanburg County, more fully described in Section 1 of the act, into "the Cannons Area Water District", and did by Act 1232 of 1962 undertake to make provision whereby the inhabitants of the area might be served by a publicly operated water system.

(2) Following such enactments, engineering studies were made to determine the financial feasibility of the plan authorized by the legislation, and studies then made indicated that the plan was not financially feasible. Further study has been made to determine a practical method by which a public water system may be made available to a majority of those who would have received such service had the plan contemplated by the legislation proved successful.

The General Assembly has taken note that the area hereinafter described is adjacent to portions of the Liberty-Chesnee-Fingerville Water District in Spartanburg County, a special purpose district created by Act 1120 of 1960.

Engineering studies have been made which would indicate that if this area should be annexed to and, become a part of the Liberty-Chesnee-Fingerville Water District, it might be served through extensions and additions to the existing Liberty-Chesnee-Fingerville Water System. Such a plan would involve the issuance of further bonds of the Liberty-Chesnee-Fingerville Water District, in addition to the bonds authorized by Act 1120 of 1960.

After due consideration, the General Assembly has determined to provide a method by which this can be accomplished, but to permit it only if: (a) an election be held in the area to be annexed and shall result favorably; (b) an election be held in Liberty-Chesnee-Fingerville Water District, as now constituted and shall result favorably; and (c) the question of the issuance of bonds to the extent necessary to provide service in the annexed area be submitted to the Liberty-Chesnee-Fingerville Water District as enlarged (if the elections on such annexation shall result favorably).

**SECTION 2. Liberty-Chesnee-Fingerville Water Commission may annex territory if election favorable.**—The Liberty-Chesnee-Fingerville Water Commission may declare annexed to and incorporated into the Liberty-Chesnee-Fingerville Water District, if the elections required by Section 3 of this act shall be held and shall result favorably, the following described territory in Spartanburg County, South Carolina:

Beginning at a point in the western boundary line of the existing Cowpens Water District at a point approximately one-half of a mile northwest from U. S. Highway 29-A and one-half of a mile southwest from a county road known as "Floyd's Cabin Road" and running thence in a northwesterly direction parallel to and one-half of a mile from "Floyd's Cabin Road" to the eastern boundary line of the existing Liberty-Chesnee-Fingerville Water District; thence with the eastern boundary line of the existing Liberty-Chesnee-Fingerville Water District in a northeasterly direction crossing the Clinchfield Railroad and running thence to a point one thousand (1,000) feet northeast from the Clinchfield Railroad; thence running in a southerly direction parallel to and one thousand (1,000) feet from the railroad to the Pacolet River; thence in a southerly direction with the Pacolet River to a point at which the Pacolet River intersects the northwestern boundary of the existing Cowpens Water District approximately one-half of a mile north of U. S. Highway 29-A; thence with the northwestern boundary line of the existing Cowpens Water District in a southwesterly direction to the point of beginning.

which, for the purpose of convenience, is hereafter referred to as "the Cannons Area". Such action shall be taken by resolution of the Liberty-Chesnee-Fingerville Water Commission and certified copies thereof shall be subsequently filed in the offices of the Auditor, Treasurer and Clerk of Court of Spartanburg County.

**SECTION 3. Annexation election.**—The Commissioners of Election of Spartanburg County shall conduct a special election in the Liberty-Chesnee-Fingerville Water District and in the Cannons Area on some date following the occasion when a plat of the Cannons Area shall have been made and shall have been filed in the offices of the Auditor, Treasurer and Clerk of Court of Spartanburg County, and on a date prior to the date of the first publication of the notice of election, for the purpose of submitting to the qualified elec-

tors of the Liberty-Chesnee-Fingerville Water District and the Cannons Area the following question:

Shall the territory in Spartanburg County (known as the Cannons Area) described on a plat entitled "Map of Cannons Area Water District", prepared by Lockwood Greene Engineers, revised March 11, 1963, and recorded in the R.M.C. Office for Spartanburg County, be annexed to and become a part of the Liberty-Chesnee-Fingerville Water District in Spartanburg County, South Carolina?

YES .....

NO .....

**SECTION 4. Bond issue election.**—On some occasion either simultaneously with the elections to be conducted pursuant to Section 3 of this act, or on some occasion subsequent thereto selected by the Commissioners of Election, there shall be held in the Liberty-Chesnee-Fingerville Water District (as enlarged if the bond election be held subsequent to the annexation elections), or, if the bond election herein required be held simultaneously with the annexation elections required by Section 3 above, in the Liberty-Chesnee-Fingerville Water District as now constituted and in the Cannons Area as above described, a special election upon the question of the issuance of not exceeding three hundred fifty thousand dollars of general obligation bonds of the Liberty-Chesnee-Fingerville Water District as enlarged by the annexation of the Cannons Area, whose proceeds shall be applied to the cost of extending and enlarging the water distribution system of the Liberty-Chesnee-Fingerville Water District so that it will provide water distribution service to the Cannons Area. The question to be submitted at such election shall be in form substantially as follows:

Shall the Liberty-Chesnee-Fingerville Water District as enlarged by virtue of annexation of the Cannons Area (now or hereafter accomplished), be empowered to issue not exceeding three hundred fifty thousand dollars of general obligation bonds of the Liberty-Chesnee-Fingerville Water District as thus enlarged, for the purpose of providing funds to defray the cost incident to the extension and enlargement of the water distribution system of the Liberty-Chesnee-Fingerville Water District so as to provide service in the Cannons Area?

YES .....

NO .....

**SECTION 5. Conduct of elections.**—The Commissioners of Election of Spartanburg County, in order to accomplish the directives of Sections 3 and 4 shall be empowered as follows:

(1) To set a date and conduct the special election as prescribed by Sections 3 and 4.

(2) To give notice of the holding of such election by publication of notice thereof not less than once a week for three successive weeks prior to the occasion fixed for the holding of such election, in one or more newspapers of general circulation in Spartanburg County. Each notice shall state the question or questions to be submitted, and the question relating to the issuance of bonds shall clearly set forth the amount of bonds proposed to be issued.

(3) To prescribe the form of ballot (in accordance with the instructions set forth in this act) to be used in such elections, and to cause an appropriate number of ballots to be printed. Each ballot shall contain suitable instructions advising each voter that if he favors the affirmative of the question voted upon, he shall erase or strike through the word NO, and that if he favors the negative of the question, he shall erase or strike through the word YES.

(4) Appoint necessary managers at each precinct in whole or in part in the Liberty-Chesnee-Fingerville Water District and in the Cannons Area.

(5) To receive the returns of the managers and declare the results of the elections.

Except as herein provided, the elections shall be conducted in accordance with the South Carolina Election Law.

**SECTION 6. Bonds may be issued if election favorable.**—If a majority of those voting upon the question of the issuance of bonds (such majority to be determined collectively rather than separately in the Liberty-Chesnee-Fingerville Water District and in the Cannons Area, as required for the purpose of annexation), then in such event, the Liberty-Chesnee-Fingerville Water District Commission shall be authorized and empowered to issue general obligation bonds of the Liberty-Chesnee-Fingerville Water District (as enlarged by the annexation of the Cannons Area), in the aggregate principal amount of not exceeding three hundred fifty thousand dollars. The proceeds of the bonds shall be used to defray the cost of constructing and establishing suitable enlargements and additions to the water distribution system of the Liberty-Chesnee-Fingerville Water District, to render service to the Cannons Area.

**SECTION 7. Dates — maturity — interest — redemption.**—All bonds issued pursuant to this act shall bear such date as the Liberty-Chesnee-Fingerville Water District Commission (hereinafter called the commission) shall determine, and shall mature in such equal or unequal annual instalments as may be determined by the commission, except that the first maturing bonds shall mature not later than three years from their date and the last maturing bonds shall mature not later than thirty years from their date. They shall be made payable at such place or places as the commission shall prescribe, and such bonds shall bear interest at such rate or rates as shall be designated by the successful bidder at the sale thereof, subject to such limitations and restrictions as the commission may impose. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Spartanburg County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the commission may prescribe. Any bond issued pursuant to the provisions of this act may be made subject to redemption prior to its stated maturity on such terms and conditions and with such redemption premium as the commission shall prescribe.

**SECTION 8. Sale.**—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to the sale notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a daily newspaper of general circulation published in South Carolina. In offering the bonds for sale the commission may reserve the right to reject all bids, but if all bids are rejected, the bonds shall be readvertised for sale in the same manner. If a second call for bids shall produce results unsatisfactory to the commission, the commission shall be empowered to effect a private sale of the bonds authorized hereby.

**SECTION 9. Exempt from taxes.**—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act 730 of 1952.

**SECTION 10. Execution.**—All bonds issued pursuant to this act and the coupons to be appertained thereto shall be executed in such manner as the commission shall prescribe.

**SECTION 11. Payment.**—For the payment of the bonds, both principal and interest, as they respectively mature, the full faith, credit, re-

sources, and taxing power of the district shall be pledged, and there shall be levied and collected by the auditor and treasurer, respectively, of the county, an ad valorem tax upon all taxable property in the district without limitation as to rate or amount, sufficient to pay the interest on the bonds and the bonds as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Spartanburg County separate and distinct from all other funds and used solely for the purposes for which levied and collected under the terms of this act.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of bonds issued pursuant to this act shall be deposited with the Treasurer of Spartanburg County in a separate and distinct fund and shall be expended upon the warrant or orders of the commission for purposes for which the bonds are issued, provided that the purchasers of any bonds, or any subsequent holders thereof, shall be in no wise responsible for the proper application of such proceeds.

**SECTION 13. Powers to be additional.**—The power and authority hereby conferred shall be in addition to all presently existing power and authority and not in abrogation thereof.

**SECTION 14. Act 1232 of 1962 repealed.**—Act 1232 of 1962 is repealed.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of May, 1963.

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(R511, H1699)

**No. 659**

**An Act Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1964.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** A tax levy of thirty-one mills is hereby levied on all taxable property in Spartanburg County for county and school purposes for the fiscal year beginning July 1, 1963, and ending June 30,

1964, for the amounts and purposes hereinafter mentioned and set forth herein:

# ITEM 1. ADMINISTRATIVE DEPARTMENT

## (A) 1. Auditor's Office

Salary, Auditor .....\$ 3,630.62

The annual salary of the County Auditor shall be paid from the State and County funds and shall not exceed \$7,478.62, and the appropriation for County Auditor shall be adjusted accordingly.

Travel and Official Expenses, Auditor ..... 650.00

Chief Clerk (A) ..... 4,357.50

Senior Clerk (C) ..... 3,212.77

Senior Clerk (C) ..... 3,089.65

Senior Clerk (C) ..... 3,089.65

Recording Clerk (F) ..... 2,289.53

Recording Clerk (D) ..... 2,818.10

Map Book Clerk (one-half salary) (D) .... 1,840.13

The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

## 2. Board of Assessors and Equalization:

Outside City ..... 2,000.00

Travel ..... 650.00

The Board of Assessors and Equalization for outside the City shall be paid \$10.00 each per day and seven cents per mile one trip.

*Provided*, that of the \$2,000.00 above appropriated the County Auditor may expend the sum of \$600.00 for clerical help for the Board of Assessors.

Spartanburg City ..... 2,457.00

The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help ..... 3,450.00

Extra clerical help to be expended in accordance with county personnel and salary policies.

Automobile Registration Cards ..... 250.00

Total, Sections (A) 1, and (A) 2 .....\$ 33,784.95

(B) Treasurer's Office

Salary, Treasurer .....\$ 3,630.62

The annual salary of the County Treasurer to be paid from State and County Funds shall not exceed \$7,478.62 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A) ..... 4,357.50

Receiving—Paying Teller (B+) ..... 4,357.50

Receiving—Paying Teller (B+) ..... 4,357.50

Receiving—Paying Teller (B) ..... 3,849.72

Senior Clerk (C) ..... 3,089.65

Receiving—Paying Teller (B) ..... 3,709.44

Senior Clerk (C) ..... 3,212.77

Outside Tax Collector ..... 4,462.50

Bank Charges ..... 100.00

Travel—Outside Tax Collector Travel to be paid for at the rate of seven (7) cents per mile upon duly itemized and sworn statements.

Total, Section (B) .....\$ 35,127.20

(C) Clerk of Court's Office

Salary, Clerk of Court .....\$ 7,478.62

Deputy (A) ..... 4,357.50

Senior Clerk (B) ..... 3,849.72

Clerk-Stenographer (D) ..... 2,930.39

Chief Clerk (B) ..... 3,990.00

Total, Section (C) .....\$ 22,606.23

(D) Office of Register Mesne Conveyance

Salary, Register Mesne Conveyance .....\$ 7,478.62

Deputy Clerk (A) ..... 4,357.50

Senior Clerk (B) ..... 3,458.70

First Clerk (E) ..... 2,497.66

|                                       |          |
|---------------------------------------|----------|
| Index Clerk (E) .....                 | 2,394.00 |
| Photo Copy Machine Operator (D) ..... | 3,042.69 |
| Microfilm Operator (D) .....          | 3,042.69 |
| Recording Clerk (E) .....             | 2,601.31 |
| Recording Clerk (E) .....             | 2,497.66 |
| Recording Clerk (E) .....             | 2,497.66 |
| Recording Clerk (E) .....             | 2,497.66 |

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Total, Section (D) .....\$ 36,366.15

All fees collected by the Register of Mesne  
Conveyance for making copies of all certifica-  
tions shall accrue to that office.

(E) Office of County Board

|   |             |
|---|-------------|
| County Board Members .....              | \$ 1,890.00 |
| Clerk and Secretary, County Board ..... | 7,478.62    |
| Travel, Clerk and Secretary .....       | 900.00      |
| Assistant Clerk (A) .....               | 4,357.50    |
| Chief Clerk (B) .....                   | 3,990.00    |
| Clerk-Stenographer (F) .....            | 2,289.53    |
| County Board Contingent .....           | 2,500.00    |
| County Attorney .....                   | 3,000.00    |
| County Physician .....                  | 1,748.68    |

The appropriation for the County Physician  
for medical work at the County Jail and Farm  
includes V.D. treatment of county prisoners  
at County Jail.

Examination of the mentally ill ..... 3,600.00

*Provided*, no physician shall be paid in excess  
of ten dollars for any one examination.

|   |           |
|---|-----------|
| Insurance—County-owned cars .....                         | 200.00    |
| Operation and upkeep—County-owned cars .                  | 6,000.00  |
| Workmen's Compensation Insurance .....                    | 8,750.00  |
| Stationery and supplies for all County offices            | 36,000.00 |
| Bonds of Officers and County Officials .....              | 1,650.00  |
| Office Equipment .....                                    | 4,000.00  |
| RMC office, incidentals and convention ex-<br>pense ..... | 600.00    |
| Telephone service .....                                   | 10,000.00 |
| PBX Operator (D) .....                                    | 2,705.80  |
| PBX Operator (D) .....                                    | 2,705.80  |

|  |        |
|--|--------|
| Salary—Voting Machine Service .....                    | 630.00 |
| Voting Machines — Maintenance and transportation ..... | 600.00 |

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Total, Section (E) .....\$105,595.93

**(F) Superintendent of Education**

Salary, Superintendent of Education .....\$ 2,668.90

The total amount of salary for the Superintendent of Education from any State or County source shall not exceed \$7,478.62, and the above appropriation shall be adjusted accordingly.

Travel, Superintendent of Education ..... 800.00

The travel allowance for the Superintendent of Education is for travel within the county. Expenses for travel outside the county shall be approved by the County Board of Education.

Assistant Superintendent of Finance and Purchasing ..... 5,250.00

Travel, Assistant Superintendent of Finance and Purchasing ..... 500.00

Chief Clerk (B) ..... 3,990.00

Secretary (C) ..... 3,458.70

Clerk-Stenographer (D) ..... 2,930.39

Clerk-Typist (part time) (D) ..... 1,521.35

Visiting Teacher—Chief ..... 551.25

Travel—Visiting Teacher—Chief ..... 575.00

Visiting Teacher ..... 3,387.30

Travel—Visiting Teacher ..... 475.00

Adult Education ..... 6,000.00

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Total, Section (F) .....\$ 32,107.89

**(G) Office of Special Auditor**

Salary, Special Auditor .....\$ 7,478.62

Assistant Special Auditor ..... 4,357.50

Chief Clerk—Vital Statistics (B) ..... 3,990.00

Senior Clerk (C) ..... 3,212.77

|                                   |        |
|-----------------------------------|--------|
| Verification, Highway Fines ..... | 200.00 |
| Vital Statistics .....            | 100.00 |

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Total, Section (G) .....\$ 19,338.89

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TOTAL, ITEM 1 .....\$284,927.24

## ITEM 2. JUDICIAL DEPARTMENT

### (A) Court of Common Pleas and General Sessions, Seventh Judicial Circuit

|  |              |
|--|--------------|
| Jurors, witnesses and bailiffs .....       | \$ 30,000.00 |
| Stenographer for Circuit Solicitor .....   | 600.00       |
| Assistant Solicitor .....                  | 742.88       |
| Court Bailiff—Circuit and County Courts .. | 2,625.00     |
| Transcripts and Inquests .....             | 1,500.00     |
| Circuit Court Stenographer .....           | 266.66       |
| Printing Bar Roster .....                  | 800.00       |
| Law Library Services .....                 | 1,200.00     |

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Total, Section (A) .....\$ 37,734.54

### (B) County Court

|   |              |
|---|--------------|
| Jurors, witnesses and bailiffs .....  | \$ 22,500.00 |
| Salary, Judge .....   | 10,600.00    |
| Salary, Solicitor .....   | 5,197.50     |
| Stenographer for Solicitor .....  | 630.00       |
| Court Stenographer .....  | 4,200.00     |
| The County Court Stenographer is authorized<br>to charge the same rate for transcripts as the<br>Circuit Court Stenographer charges and such<br>revenue shall accrue to the County Court<br>Stenographer. |              |

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Total, Section (B) .....\$ 43,127.50

### (C) Juvenile Court

|   |             |
|---|-------------|
| Salary, Judge (part time) .....           | \$ 4,129.12 |
| Probation Officer .....                   | 5,512.50    |
| Travel, Probation Officer .....           | 1,200.00    |
| Assistant Probation Officer .....         | 4,843.75    |
| Travel, Assistant Probation Officer ..... | 1,200.00    |
| Assistant Probation Officer .....         | 4,567.50    |
| Travel, Assistant Probation Officer ..... | 1,200.00    |

|   |          |
|---|----------|
| Assistant Probation Officer .....                                 | 4,500.00 |
| Travel, Assistant Probation Officer .....                         | 1,200.00 |
| Chief Clerk (B) .....   | 3,990.00 |
| Secretary (D) .....   | 2,593.50 |
| Court Expenses, conveying probationers, detention care, etc. .... | 3,400.00 |

*Provided*, that the amount herein provided for regular travel within the county of probation officers shall be paid on the basis of seven cents per mile for travel on official business, upon duly itemized sworn statements approved by the Judge of the Children's Court, filed with the County Board of Spartanburg County. Travel allowance for which payment is made for any one month shall not exceed 1,600 miles, and in no event shall the annual amount paid under this appropriation exceed the sums herein provided for such annual appropriation.

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Total, Section (C) ..... \$ 38,336.37

(D) Civil Courts of Spartanburg

|  |             |
|--|-------------|
| Salary, Judge of Civil Court .....                               | \$ 6,468.00 |
| Salary, Judge of Civil Court .....                               | 6,468.00    |
| Two Spartanburg City-Special Constables at \$1,137.50 each ..... | 2,275.00    |
| Salary, Clerk-Stenographer (C) .....                             | 3,458.70    |
| Clerk-Stenographer (C) .....                                     | 3,458.70    |
| Clerk-Stenographer (D) .....                                     | 2,593.50    |
| Clerk-Stenographer (C) .....                                     | 2,966.52    |
| Clerk-Stenographer (C) .....                                     | 3,212.77    |
| Jurors for Civil Courts .....                                    | 600.00      |

*Provided*, each juror is paid \$3.00 per day.

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Total, Section (D) ..... \$ 31,501.19

(E) Judge of Probate's Office

|   |             |
|---|-------------|
| Salary, Judge of Probate .....          | \$ 7,478.62 |
| Assistant to Judge of Probate (A) ..... | 4,357.50    |
| Chief Clerk (B) .....                   | 3,990.00    |
| Senior Clerk (C) .....                  | 3,089.65    |

|                           |          |
|---------------------------|----------|
| Recording Clerk (E) ..... | 2,497.66 |
| Recording Clerk (F) ..... | 2,194.50 |

When the Probate Judge directs a lunacy case or cases to be carried to the State Hospital or similar institution in the State, it shall be the duty of the Sheriff to convey such prisoners in a county-owned car.

|                          |                     |
|--------------------------|---------------------|
| Total, Section (E) ..... | <u>\$ 23,607.93</u> |
|--------------------------|---------------------|

(F) Master's Office

|                               |             |
|-------------------------------|-------------|
| Salary, Master .....          | \$ 7,478.62 |
| Assistant to Master (A) ..... | 4,357.50    |
| Clerk-Stenographer (D) .....  | 2,705.80    |
| Clerk-Stenographer (F) .....  | 2,194.50    |

|                          |                     |
|--------------------------|---------------------|
| Total, Section (F) ..... | <u>\$ 16,736.42</u> |
|--------------------------|---------------------|

|                     |                     |
|---------------------|---------------------|
| TOTAL, ITEM 2 ..... | <u>\$191,043.95</u> |
|---------------------|---------------------|

ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) Sheriff's Office

|  |              |
|--|--------------|
| Salary, Sheriff .....  | \$ 10,000.00 |
| Travel and Official Expenses of Sheriff .....                                      | 2,200.00     |
| Salary, Deputy Sheriff .....   | 5,190.15     |
| Travel and Expenses, Deputy Sheriff .....  | 1,800.00     |
| Chief Clerk (B) .....  | 3,990.00     |
| Identification Work, etc. ....   | 1,500.00     |
| For special work, identification and sundry expenses payable on demand of Sheriff. |              |

Rural Police:

|                                     |           |
|-------------------------------------|-----------|
| 1 Chief .....                       | 5,190.15  |
| Travel, Chief of Rural Police ..... | 1,800.00  |
| 1 Lieutenant .....                  | 4,837.35  |
| 1 Lieutenant .....                  | 4,837.35  |
| 6 Rural Police at \$4,500.30 .....  | 27,001.80 |
| 17 Rural Police at \$4,046.70 ..... | 68,793.90 |
| 17 Travels at \$2,352.00 .....      | 39,984.00 |

Detectives:

|                                  |           |
|----------------------------------|-----------|
| 1 Captain .....                  | 5,118.75  |
| 3 Detectives at \$4,740.75 ..... | 14,222.25 |
| 1 Record Clerk .....             | 4,628.40  |

|  |          |
|--|----------|
| Bookkeeper and Cashier .....                               | 4,500.30 |
| Radio Operators:   |          |
| 2 at \$4,500.30 .....                                      | 9,000.60 |
| Clothing allowance for thirty-two Rural<br>Policemen ..... | 7,520.00 |

*Provided*, not in excess of \$235.00 shall be allocated to any one policeman in any one year.

|   |          |
|---|----------|
| Clothing allowance for seven (7) plain-<br>clothesmen ..... | 1,120.00 |
|---|----------|

*Provided*, not in excess of \$160.00 shall be allocated for any plain clothes officer during the year.

Those serving as detectives, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equipment, and supplies furnished by the Sheriff's office to the Rural Policemen, Jailors and Deputy Sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the county, upon demand by the Sheriff.

|                           |          |
|---------------------------|----------|
| Conveying Prisoners ..... | 2,600.00 |
|---------------------------|----------|

This appropriation shall be disbursed at the rate of seven cents a mile upon itemized sworn statements filed with the County Board and approved by the Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and detectives, shall be paid on the basis of seven cents a mile for travel on official business upon duly itemized sworn statements filed with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2,800 miles. The County Board is authorized to pay any policeman who uses his own car

that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment clause, such amount to be paid out of the general fund of Spartanburg County upon duly approved claims. *Provided*, Spartanburg County is limited to paying only the liability and property damage insurance.

|   |          |
|---|----------|
| Arsenal Replacement .....   | 300.00   |
| Prison Clothes .....  | 1,000.00 |
| Dieting of prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff ..... | 100.00   |
| Repairs—County Police Radios .....  | 1,500.00 |
| Engineer and Maintenance for City-County Police Radio .....   | 6,565.50 |

*Provided*, the county pays \$6,565.50 and the city pays \$6,565.50 for the City-County Police Radio. *Provided*, further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of \$13,131.00 for county and city. *Provided*, the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as County affairs are concerned. *Provided*, further, the County Board of Spartanburg County is hereby directed to pay no claim from this appropriation until same is itemized and approved by the Sheriff.

Constables:

|   |          |
|---|----------|
| Constables at Mills, 4 at \$820.00 .....  | 3,280.00 |
| <i>Provided</i> , such Constables are deputized by the Sheriff of Spartanburg County. |          |
| Additional Law Enforcement Officers, 2 at \$820.00 .....                              | 1,640.00 |

*Provided*, that they shall be appointed by a majority of the delegation.

3 Constables at Jackson Mill, Startex, and  
Arcadia, \$982.50 each ..... 2,947.50

Total, Section (A) .....\$243,168.00

The Sheriff's Office shall collect, by checks payable to the Spartanburg County Treasurer, a fee of one dollar for each inquiry concerning the record or reputation of a person in regard to violation of the laws of the United States and of this State relating to liquor.

(B) County Jail

Jailors:

One Lieutenant .....\$ 4,837.35

Three Jailors at \$4,500.30 ..... 13,500.90

Dieting Prisoners and Expenses ..... 15,000.00

The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day.

The County Board of Spartanburg County is hereby directed to formulate plans for the operation of the County Jail pertaining to the purchasing of all food and supplies and the payment of bills. Such expenditures shall be paid out of the above appropriation for dieting and expenses.

*Provided*, the Sheriff is authorized and directed to manage and control the County Jail. *Provided*, further, the Sheriff shall have custody and control of all prisoners in the County Jail.

Medicine, County Jail ..... 600.00

Total, Section (B) .....\$ 33,938.25

(C) Coroner's Office

Salary, Coroner .....\$ 4,462.50

Travel ..... 1,000.00

Coroner's Jury ..... 1,500.00

Burial of Paupers ..... 500.00

No pauper's coffin shall exceed twenty dollars.

Post Mortems ..... 1,500.00

No physician shall be paid in excess of fifteen dollars for an autopsy or five dollars for a post mortem.

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Total, Section (C) ..... \$ 8,962.50

(D) Magistrates and Constables

Thirteen Magistrates at \$1,200.00 each .... \$ 15,600.00

Expenses, \$300.00 each ..... 3,900.00

Thirteen Constables for the County Magistrates at \$600.00 each per year ..... 7,800.00

Each Magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriations act for Spartanburg County. In addition to the salaries appropriated in the annual appropriations act for Spartanburg County, the constable for each Magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Sections 43-1017 and 43-1018, Code of Laws of South Carolina, 1962, as amended by Act No. 276 of the Acts of 1953.

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Total, Section (D) ..... \$ 27,300.00

(E) Parole-Probation

Senior Clerk (B) ..... \$ 3,990.00

*Provided*, this appropriation for parole-probation Clerk shall be reduced to the extent of any revenue from the State or any other source applicable to this work.

---

Total, Section (E) ..... \$ 3,990.00

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TOTAL, ITEM 3 ..... \$317,358.75

## ITEM 4. ROADS AND BRIDGES

Total appropriations for this item are as follows:

## Salaries:

|   |             |
|---|-------------|
| Supervisor .....                          | \$ 7,478.62 |
| Clerk .....                               | 4,357.50    |
| 1 Diesel Mechanic .....                   | 4,700.00    |
| 2 Truck Mechanics at \$4,226.50 .....     | 8,453.00    |
| 1 Electric Welder .....                   | 5,029.00    |
| Tire and Yard Man .....                   | 3,959.00    |
| 1 Warehouseman .....                      | 3,250.00    |
| 1 Bridge Foreman .....                    | 5,029.00    |
| 1 Asst. Bridge Foreman .....              | 3,638.00    |
| 5 Camp Foremen at \$4,280.00 .....        | 21,400.00   |
| 10 Truck Drivers at \$3,531.00 .....      | 35,310.00   |
| 1 Crane Operator at \$4,280.00 .....      | 4,280.00    |
| 13 Machine Operators at \$3,638.00 .....  | 47,294.00   |
| 25 Guards at \$2,889.00 .....             | 72,225.00   |
| 1 Supt. Surf. Department .....            | 5,029.00    |
| 5 Night Guards at \$2,782.00 .....        | 13,910.00   |
| 5 Extra Week End Guards at \$667.68 ..... | 3,338.40    |

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248,680.52

## Dieting Prisoners:

Average number of prisoners, 200 ..... 28,000.00

## Clothing Prisoners:

Stripes, shoes, socks, underwear, jackets,  
blankets, mattress covers, sheets, towels .... 10,000.00

Doctors and Medicine ..... 3,600.00

*Provided*, the County Health Department is directed to do the dental work of the prisoners of the County Highway Department.

## Supplies:

Includes tires, tubes, recapping, disinfectants,  
matches, smoking and chewing tobacco, soap,  
soap powder, cleaning compound, mops,  
brooms, signs, sledge hammers, nails, picks,  
shovels, axes, swing blades, beds and mat-  
tresses ..... 42,000.00

|   |            |
|---|------------|
| Repairs to Machinery, equipment, trucks and cars:   |            |
| Includes 50 pieces of heavy equipment and machinery, 65 trucks and 3 cars .....   | 47,000.00  |
| Gasoline, Motor Oil, Fuel Oil, Diesel Oil and Grease .....  | 48,000.00  |
| Office Supplies .....   | 825.00     |
| South Carolina Sales Tax:   |            |
| Additional sales tax not charged on invoices by out-of-state companies .....  | 750.00     |
| Miscellaneous Expense:  |            |
| Liability Insurance, License tags, power, water, telephone, expense conveying prisoners, Workmen's Compensation Insurance and freight .....   | 15,000.00  |
| Clothing allowance for employees .....  | 5,325.00   |
| <i>Provided</i> , no employee shall receive in excess of \$75.00 per annum.   |            |
| Surface Treatment and/or recapping of roads:  |            |
| Stone and Asphalt and labor .....   | 125,000.00 |
| Pipe and Bridge material .....  | 30,000.00  |
| Machinery and Equipment .....   | 55,063.00  |
| <i>Provided</i> , the above appropriation for machinery and equipment is to be expended for one (1) motor grader, and one (1) steel wheel roller, one (1) asphalt kettle, and one (1) front end loader. <i>Provided</i> , further, the above appropriation shall include five (5) trucks, each with capacity of 21,000 lbs. |            |
| Signs and paint .....   | 1,000.00   |
| <hr/>   |            |
| 411,563.00  |            |

The remainder of the county's share of the gasoline tax received from the State, after using so much thereof as shall be necessary to pay interest and principal installments coming due from the fiscal year 1963-64 on bonds issued or to be issued providing for road surface treatments for the county, shall go into the general funds of Spartanburg County. The

road tax shall also go into the general funds of the county. The above appropriation is inclusive of the gas tax and the road tax. The County Board shall have the right and authority and it shall be its duty to allocate, segregate and set apart and use or cause to be used so much of the sum appropriated above as they deem wise for the purpose of grading and preparing highways and expenses incident thereto for surface treatment. The County Board may, by written agreement, use a reasonable amount of any appropriation for Highway Department to match or secure any Federal aid available for highway work but such authority is not construed to affect, in any way, the operations and carrying out of the details provided for under the respective appropriations made for the department; but such authority is given in order that funds or grants may be received as a supplement to the items appropriated for. Any balances unexpended in the accounts of the County Highway Department on June 30, 1963, may be used to purchase stone, asphalt, culverts and bridge material.

*Provided*, that with approval of the Spartanburg County Board of Control ten (10) per cent of the foregoing appropriations for the Highway Department for supplies and materials may be transferred to any of the other items for supplies, materials, doctors and medicine.

Road Improvement Bonds for year ending June 30, 1964:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$265,000.00 |
| Interest .....        | 38,275.00    |
| Bank Commission ..... | 378.00       |
|                       | <hr/>        |
|                       | \$303,653.00 |

|                     |                    |
|---------------------|--------------------|
| TOTAL, ITEM 4 ..... | <hr/> \$660,243.52 |
|---------------------|--------------------|

## ITEM 5. PUBLIC HEALTH AND WELFARE

## (A) Charity Hospitalization

1. Spartanburg General Hospital Charity patients .....\$375,000.00

*Provided*, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and charity service. All stenographic and clerical employees of the General Hospital shall be paid at a rate not in excess of equally rated employees in other departments of the county government where salaries are set by the terms of this act.

The above appropriations shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital. Spartanburg General Hospital Charity Investigation Office:

|                               |          |
|-------------------------------|----------|
| Investigator .....            | 6,468.00 |
| Travel for Investigator ..... | 1,800.00 |
| Clerk (B) .....               | 3,709.44 |
| Clerk (D) .....               | 2,593.50 |

---

\$ 14,570.94

General Hospital Bonds for year ending June 30, 1964:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$104,725.25 |
| Interest .....        | 46,701.25    |
| Bank Commission ..... | 219.04       |

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\$151,645.54

2. Spartanburg T. B. Hospital ..... 136,000.00  
All stenographic and clerical employees shall be paid at a rate not in excess of equally rated

employees in other departments of the county government where salaries are set by the terms of this act. Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct. Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

3. Spartanburg County Tuberculosis Association. There is hereby appropriated a sum not to exceed five thousand dollars for an X-ray motor service operation ..... 5,000.00

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Total, Sections (A) 1, (A) 2, (A) 3 ..... \$530,570.94

(B) County Health Department:

|   |              |
|---|--------------|
| Salaries, travel, incidentals, Meat and Milk Inspections .....                | \$114,051.00 |
| Retirement and Social Security for the fiscal year ending June 30, 1964 ..... | 7,773.00     |
| Dental Health Work .....  | 12,953.00    |
| Rabies Control Program .....  | 5,200.00     |
| Insect and Rodent Control Program .....                                       | 7,500.00     |
| Auxiliary Health Centers .....  | 6,000.00     |
| T. B. Drugs .....   | 1,000.00     |

All duties pertaining to the inspection of meat and milk as set forth in the regulations of the State Board of Health shall be performed by the County Health Department for Spartanburg County including Spartanburg City.

*Provided*, the County Board of Health may accept funds from other private or government agencies to employ staff for the purpose of providing additional public health services requested by those agencies.

Health Centers—Bonds for year ending June 30, 1964:

|                       |             |
|-----------------------|-------------|
| Principal .....       | \$ 5,000.00 |
| Interest .....        | 2,800.00    |
| Bank Commission ..... | 13.00       |
|                       | <hr/>       |
|                       | \$ 7,813.00 |

Total, Section (B) .....\$154,477.00

(C) Department of Public Welfare

|   |             |
|---|-------------|
| Travel for Child Welfare Workers .....  | \$ 3,240.00 |
| Children's Fund for Boarding Home Care,<br>medical, dental and other basic needs .....                  | 12,000.00   |
| Special Emergency Fund .....  | 12,000.00   |
| Supplement County Director @ \$60.00 per<br>month and six Supervisors @ \$50.00 each<br>per month ..... | 4,320.00    |
| Supplement for Staff Members other than Su-<br>pervisors (45 workers—\$20.00 each per<br>month) .....   | 10,800.00   |
| Social Security and Retirement .....  | 1,000.00    |
| Office and Incidental Expenses .....  | 500.00      |
|   | <hr/>       |

Total, Section (C) .....\$ 43,860.00

(D) County Home

|   |             |
|---|-------------|
| Maintenance and Improvements .....            | \$ 1,000.00 |
| Care of Aged, Indigent and Chronically Ill .. | 62,000.00   |

The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of the above appropriation for the care of the aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.

County Home Bonds for year ending June 30, 1964:

|                       |           |
|-----------------------|-----------|
| Interest .....        | \$ 550.00 |
| Bank Commission ..... | 1.38      |
|                       | <hr/>     |
|                       | \$ 551.38 |

Total, Section (D) .....\$ 63,000.00

(E) Mental Hygiene Clinic

Operating Expenses, year ending June 30,  
1964 .....\$ 21,131.77  
*Provided, \$3,820.22 is appropriated for psychi-  
atric treatment at the General Hospital.*

Total, Section (E) .....\$ 21,131.77

(F) County Service Officer

|                              |             |
|------------------------------|-------------|
| County Service Officer ..... | \$ 5,775.00 |
| Travel—Service Officer ..... | 1,000.00    |
| Secretary .....              | 3,458.70    |
| Office Expenses .....        | 300.00      |

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse. Any unused funds in the appropriation for the fiscal year ending June 30, 1964, shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay the above appropriations, the excess shall be paid out of the general county funds. The County Service Officer shall be paid seven cents a mile for the number of miles traveled on official business upon an itemized sworn statement submitted to the County Board.

|                                |        |
|--------------------------------|--------|
| Woodruff Service Officer ..... | 500.00 |
| Chesnee Service Officer .....  | 500.00 |
| Inman Service Officer .....    | 500.00 |

Total, Section (F) .....\$ 12,033.70

(G) Speech and Hearing Clinic .....\$ 4,000.00

*Provided*, this appropriation is made upon the specific condition that all revenue and contributions to the Clinic for the fiscal year ending June 30, 1964, shall be no less than the total receipts for the fiscal year ending June 30, 1963, exclusive of this appropriation. Otherwise this appropriation is null and void.

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Total, Section (G) .....\$ 4,000.00

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TOTAL, ITEM 5 .....\$829,073.41

ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) County Farm Agent's Office

|   |             |
|---|-------------|
| County Farm Agent .....                                   | \$ 1,260.00 |
| Assistant County Farm Agents, (3) at \$300-.00 each ..... | 900.00      |
| Stenographer .....  | 600.00      |
| County Extension Office, Supplies .....                   | 300.00      |
| 4-H Club Calf Chain .....                                 | 1,000.00    |
| F.F.A. Calf Chain .....                                   | 1,000.00    |
| Boys' and Girls' 4-H Club .....                           | 300.00      |
| Colored:  |             |
| County Agent .....  | 600.00      |
| Home Demonstration Agent—Salary .....                     | 850.00      |
| Home Demonstration Agent—Supplies and Materials .....     | 200.00      |
| Agricultural Agent—Supplies and Materials .....           | 200.00      |
| Clerical Help .....                                       | 2,100.00    |
| 4-H Club Expenses .....                                   | 400.00      |
| 4-H Club Calf Chain .....                                 | 250.00      |
| F.F.A. Calf Chain .....                                   | 250.00      |

---

Total, Section (A) .....\$ 10,210.00

(B) Forestry

|  |             |
|--|-------------|
| Wardens, three at \$50.00 a month each ..... | \$ 1,800.00 |
| Towerman, one at \$25.00 a month .....       | 300.00      |

|   |        |
|---|--------|
| Tractor Driver, one at \$25.00 a month for 8 months ..... | 200.00 |
| Ranger, one at \$50.00 a month .....                      | 600.00 |

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Total, Section (B) ..... \$ 2,900.00

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TOTAL, ITEM 6 ..... \$ 13,110.00

## ITEM 7. PUBLIC BUILDINGS

|  |             |
|--|-------------|
| (A) Department of Maintenance            |             |
| Superintendent, Maintenance .....        | \$ 4,426.80 |
| Foreman .....                            | 3,240.24    |
| Foreman .....                            | 3,240.24    |
| Foreman .....                            | 3,240.24    |
| Carpenter .....                          | 3,445.62    |
| Janitor Service .....                    | 15,330.00   |
| Supplies .....                           | 4,047.53    |
| Repairs and Miscellaneous Services ..... | 5,800.00    |
| Utilities (heat, lights, etc.) .....     | 20,300.00   |
| Grounds—upkeep .....                     | 1,000.00    |

---

Total, Section (A) ..... \$ 64,070.67

(B) Insurance ..... \$ 7,250.00

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Total, Section (B) ..... \$ 7,250.00

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TOTAL, ITEM 7 ..... \$ 71,320.67

Courthouse and Jail Bonds for year ending  
June 30, 1964:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$137,274.75 |
| Interest .....        | 50,171.25    |
| Bank Commission ..... | 241.98       |

---

\$187,687.98

## ITEM 7A. SPARTANBURG MEMORIAL AUDITORIUM

|  |             |
|--|-------------|
| Spartanburg Memorial Auditorium Commission, Maintenance and Upkeep ..... | \$ 5,000.00 |
| Payment on note of Auditorium for air conditioning .....                 | 10,000.00   |

*Provided*, these sums are appropriated contingent upon the appropriations by the City of Spartanburg of equal amounts for maintenance and upkeep, and air conditioning notes. Spartanburg Memorial Auditorium Bonds for year ending June 30, 1964:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$ 30,000.00 |
| Interest .....        | 3,375.00     |
| Bank Commission ..... | 38.44        |

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\$ 33,413.44

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TOTAL, ITEM 7A .....\$ 15,000.00

ITEM 7B. SPARTANBURG COUNTY LIBRARY

Spartanburg County Library .....\$ 80,000.00

This appropriation is for maintenance and operation of the Spartanburg County Library and the purchase of books.

*Provided*, the above appropriation is made upon the condition that the County Library Board shall adopt a schedule of salaries based upon efficiency and length of service.

Further, this appropriation is in addition to the one mill tax levy as now provided for the Library.

Spartanburg County Library Bonds for year ending June 30, 1964:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$ 20,000.00 |
| Interest .....        | 18,375.00    |
| Bank Commission ..... | 69.00        |

---

\$ 38,444.00

*Provided*, that in the event that Spartanburg County Library becomes part of a Regional Library such additional qualifying funds may be paid out of the General Funds of the County upon approval of a majority of the delegation, including the Senator.

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TOTAL, ITEM 7B .....\$ 80,000.00

## ITEM 8. MISCELLANEOUS APPROPRIATIONS

|   |           |
|---|-----------|
| City of Greer .....   | \$ 200.00 |
| This appropriation is to be used for Greer Public Library for the benefit of citizens of Spartanburg County.  |           |
| Y.M.C.A. for Summer Camp .....  | 1,500.00  |
| Volunteer Fire Departments .....  | 14,500.00 |
| Heat, lights and water for Fire Departments .....   | 300.00    |
| The sum of \$500.00 is hereby appropriated to each Volunteer Fire Department in Spartanburg County which is a member of the South Carolina Firemen's Association which is recognized and classified by the Southeastern Underwriters Association. |           |
| Operation and maintenance of fire alarm system .....  | 3,600.00  |
| The above appropriation to be expended upon the direction of the Volunteer Fire Chiefs Association.   |           |
| National Guard Units:   |           |
| Spartanburg City .....  | 500.00    |
| Spartanburg City .....  | 500.00    |
| Spartanburg, Medical .....  | 500.00    |
| Lyman (1) .....   | 500.00    |
| Lyman (2) .....   | 500.00    |
| Woodruff .....  | 500.00    |
| Inman .....   | 500.00    |
| Inman .....   | 500.00    |
| Pacolet .....   | 500.00    |
| Greer .....   | 300.00    |
| The appropriation for Greer is contingent upon Greenville County paying an equal amount.  |           |
| Delegation Transferable Fund .....  | 8,200.00  |
| Registration Board .....  | 2,800.00  |
| Travel, Registration Board .....  | 600.00    |
| Civil Air Patrol, for maintenance and operation of planes and motor equipment .....   | 800.00    |
| Spartanburg Planning and Development Board .....  | 3,000.00  |
| Civil Defense .....   | 6,000.00  |

*Provided*, this appropriation shall be expended upon the approval of a majority of the delegation, including the Senator; and *Provided*, further, the County Chairman of the Civil Defense organization selected pursuant to Section 5 of Act No. 888 of the Acts of 1958 shall set forth in the defense plan a detailed budget with respect to all funds that become available to the county for Civil Defense purposes. The financial proposals contained in the defense plan so submitted shall not be effective unless approved by the Legislative Delegation, including the Senator, and the mayors of the municipalities within the county. The funds above provided for shall be paid in such manner as provided for in the defense plan, and if the Legislative Delegation, by majority recommendation has reason to believe that there has been a failure to expend funds in accordance with the terms and conditions contained in such plan, the County Board shall be notified of the delegation's recommendation, whereupon such payments shall cease until the failure to properly expend funds has been corrected.

|  |              |
|--|--------------|
| TOTAL, ITEM 8 .....  | \$ 46,300.00 |
| ITEM 9. BONDS AND INTEREST   |              |
| Ordinary County Bonds .....  | \$327,000.00 |
| Interest .....   | 139,522.50   |
| Commission .....   | 671.34       |
|  | <hr/>        |
|  | \$467,193.84 |
| Interest—County and School Expense Notes,<br>and expense on bonds .....                          | \$ 16,000.00 |
|  | <hr/>        |
| TOTAL, ITEM 9 .....  | \$483,193.84 |
| Any surplus on hand at the close of the fiscal<br>year or period shall be applied to the payment |              |

of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1964 principal and interest payments.

Ordinary County

Item 15.

Technical Training School Bonds:

|                       |              |
|-----------------------|--------------|
| Principal .....       | \$ 30,000.00 |
| Interest .....        | 17,550.00    |
| Bank Commission ..... | 88.50        |

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\$ 47,638.50

*Provided*, the above bonds and interest for the Technical Training School shall be paid from the proceeds of the special tax levy for such bonds.

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TOTAL, ITEMS 1-9 .....\$2,991,571.38

**SECTION 2.** The County Board of Spartanburg County is hereby directed to pay out of the general funds of the county travel expense at the rate of seven cents per mile for miles traveled in the performance of duties of all county boards and commissions which do not receive any compensation for services.

**SECTION 3.** The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the purchase of calves from the appropriation of calf chains as it deems necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

**SECTION 4.** The board of assessors and equalization for outside the City shall be paid ten dollars each per day and seven cents per mile one trip.

**SECTION 5.** The appropriations in the annual appropriations act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law. All interest earned from funds invested in securities by the county treasurer and all interest on delinquent taxes shall be credited to the general funds of the county by the county treasurer.

**SECTION 6.** It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However, the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

**SECTION 7.** The balances shown to the credit of the following departments for the fiscal year ending June 30, 1963, are hereby authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1963-1964, for necessary maintenance and operations: County Home and County Home Nursing, County Farm, Public Buildings, for paint and materials, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library. The appropriation balance for the Block Map System on June 30, 1963, shall be carried forward for the fiscal year ending June 30, 1964, and shall be expended upon the authorizations of a majority of the Legislative Delegation, including the Senator, in the majority. The balance on hand on June 30, 1963, of the Planning and Development Commission shall be carried forward to the fiscal year 1963-1964.

**SECTION 8.** The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the offices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1964. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids; *provided*, however, final acceptance of a bid shall be subject to the approval of a majority of the county delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions

and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county. The County Board of Spartanburg County is authorized to investigate and make recommendations to the county delegation concerning any deficiencies in any department of Spartanburg County.

**SECTION 9.** For the court of general sessions and county criminal court there shall be not more than three bailiffs, who shall receive not in excess of ten dollars each per day. For the court of common pleas and county civil court there shall be not more than two bailiffs, who shall receive not in excess of ten dollars per day. Jurors for the circuit court and the county court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the sheriff a court crier who shall act also as a bailiff at all terms of court. Jurors of the coroner's jury shall receive three dollars each per day.

**SECTION 10.** All expenditures for the operation of the Spartanburg County Technical Training Center shall be on approval of a majority of the legislative delegation, including the Senator.

**SECTION 11.** Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint city-county radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

**SECTION 12.** Expenditures from the Delegation Transferable Fund and authorizations by the delegation shall be made upon approval of a majority of the delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the secretary to the county board of control.

**SECTION 13.** The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all employees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

Spartanburg General Hospital, including Woodruff Hospital  
County Highway Department  
Spartanburg Tuberculosis Hospital  
County Health Department

The County Board of Spartanburg County  
Spartanburg County Library

**SECTION 14.** The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all county employees on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on business of the county, at the rate of seven cents per mile. The board is authorized to prescribe such further rules and forms as will carry out the purposes of this section. *Provided*, the amount paid out by the county board shall not exceed the amount provided by the terms of this act. *Provided*, the travel expense appropriated for the sheriff, the coroner, the superintendent of education, the deputy sheriff and the chief of rural police shall be disbursed by the County Board of Spartanburg County without the foregoing requirements of an itemized statement.

**SECTION 15.** The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the certification of any record. The Special Auditor is required to audit only the records of the General Hospital kept by the county.

For persons born in Spartanburg County since January 1, 1915, certificates of birth are to be issued on a similar basis as the State Board of Health issues certificates. For persons born prior to January 1, 1915, only persons born in Spartanburg County may register their birth with the Vital Statistics Department, and in addition to the items listed in the Code of 1962, documentary proof of age and place of birth must be submitted and such evidence must be over five years old. The above provisions are in addition to the regulations now effective.

**SECTION 16.** The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County.

Salary adjustments in accordance with salary schedule are to become effective from the date of employment and any increase shall be paid out of the general funds of the County.

**SECTION 17.** In all instances wherein a federal agency occupies space in any public building owned by Spartanburg County, and all

of its administrative or operating costs may be paid by the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space occupied by such agency, the same to be applied to the maintenance and utility costs of such public building. Further, in all instances wherein a State, area, district or county association, committee, board or organization may receive, either directly or indirectly, all of its administrative or operating costs from the federal government or any department thereof, the County Board of Spartanburg County shall charge and collect the sum of \$0.835 per annum for each square foot of space the agency, association, committee, board or organization occupies in the public building. The above stated amount shall be charged and collected if the entire administrative or operating costs of the agency, association, committee, board or organization may be ultimately borne by the federal government or any department thereof, and without regard to who actually administers the federal funds at any stage. The above charges and collections shall commence on July 1, 1961, and be collected either monthly or quarterly. *Provided*, the County Board is authorized to provide rules and regulations governing the occupancy of the new courthouse and the use of the county courthouse parking lots.

**SECTION 18.** Each and every official and employee of Spartanburg County is prohibited from receiving any compensation or reimbursement whatsoever from any individual, person, firm or corporation in addition to the amounts appropriated or provided for in this act.

The County Board of Spartanburg County, subject to the same limitations as are imposed upon the purposes for which taxes may be levied or bonds issued by Article X, Section 6 of the Constitution, is authorized and directed to make any contracts deemed necessary and advisable for the furnishing of services, information, use of equipment, labor of officials and employees and materials to such persons or agencies as may be determined from time to time by the County Board. The charges for such shall not be less than the actual costs to the county for services, time involved, materials and use of equipment as may be determined by the County Board. *Provided*, however, the County Board shall not contract to furnish any service that was not being furnished on the effective date of this act without prior approval of the majority of the county legis-

lative delegation. Each and every county official and employee is hereby authorized and directed to comply with and perform any such contracts and agreements as may be entered into by the County Board from time to time.

This provision shall apply when any county records or information and the time of any official or employee is used or furnished.

All revenue from all work, materials, and use of equipment authorized by the County Board shall be remitted to the county treasurer and credited by the county treasurer to the General Fund of Spartanburg County.

**SECTION 19.** The County Board shall not employ any expert or contract to pay for any study or survey without approval by a majority of the county legislative delegation.

**SECTION 20.** The County Board of Control is hereby authorized and directed to execute and deliver a deed or deeds under such terms and conditions as the legislative delegation may approve in writing, to all of that real estate now occupied and used by the Spartanburg County Freezer Locker Plant and/or the Spartanburg Curb Market, which properties are located on the Asheville Highway and Kennedy Street, respectively. The funds so received shall be placed in the Special Fund with the County Farm Land money.

**SECTION 21.** There shall be filed in the office of the County Board of Spartanburg County eighteen copies of the minutes of each agency and department of Spartanburg County. Copies shall be made available for each member of the legislative delegation at the County Board Office, Spartanburg, South Carolina.

**SECTION 22.** The term of office of the Special Auditor is hereby continued until his successor is appointed and qualified.

**SECTION 23.** This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

**And Any Area Which May Hereafter Be Annexed To The City Of Spartanburg Shall Automatically Be A Part Of The Metropolitan District.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Annexation by metropolitan district of area now part of City of Spartanburg.**—Any area now a part of the City of Spartanburg but not now included within the boundaries of the Metropolitan District shall be annexed to and become a part of the Metropolitan District.

**SECTION 2. Annexed area by City of Spartanburg becomes part of metropolitan district.**—Any area which may hereafter be annexed to the City of Spartanburg shall automatically, upon the effective date of such annexation, also be annexed to the Metropolitan District.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 10th day of July, 1963.

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(R662, H1913)

**No. 661**

**An Act To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1962-63 From The General Fund Of The County; And To Validate Certain Disbursements, Expenditures And Actions Authorized By The Legislative Delegation.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** There is hereby appropriated from the General Fund of Spartanburg County, as a supplemental appropriation for the fiscal year 1962-63, the following:

|  |           |
|--|-----------|
| Examination of the Mentally Ill .....                | \$ 500.00 |
| Operation and Upkeep County Owned Cars .....         | 5,500.00  |
| Stationery and Supplies for all County offices ..... | 3,500.00  |
| Telephone Service .....                              | 1,500.00  |
| Office Equipment .....                               | 1,675.00  |
| Transcripts and Inquests .....                       | 300.00    |

|   |              |
|---|--------------|
| Engineer and Maintenance for City-County Police                                     |              |
| Radio .....   | 2,500.00     |
| Installation of Sirens .....  | 122.77       |
| Medicine .....  | 200.00       |
| Dieting Prisoners and Expenses .....  | 2,500.00     |
| Road and Bridge Material .....  | 75,000.00    |
| <i>Provided</i> , not more than three thousand dollars may be used for labor.       |              |
| Clothing allowance for employees .....  | 3,000.00     |
| <i>Provided</i> , no employee shall receive in excess of \$75.00 per annum.         |              |
| For supplement to salaries of Public Welfare workers as submitted in schedule ..... | 883.50       |
| Travel for Welfare Workers .....  | 175.00       |
| Janitor Service .....   | 2,000.00     |
| Utilities (Heat, Lights, etc.) .....  | 3,000.00     |
| Department of Maintenance, Salary adjustments for superintendent and foreman .....  | 117.86       |
| Forestry and Park Needs .....   | 500.00       |
| <i>Provided</i> , this appropriation shall not be available until July 1, 1963.     |              |
| Civil Defense .....   | 1,892.88     |
| <i>Provided</i> , this appropriation shall not be available until July 1, 1963.     |              |
| Total .....   | \$104,867.01 |

**SECTION 2.** The following disbursements, expenditures and actions authorized by the Legislative Delegation from Spartanburg County are hereby validated:

|   |              |
|---|--------------|
| An expenditure for three (3) Police cars .....                  | \$ 8,179.60  |
| S. C. Police Officers Retirement System .....                   | 7,500.00     |
| Additional .....  | 10,000.00    |
| For settling suits due to washed out bridge .....               | 11,000.00    |
| Drayton Volunteer Fire Department .....                         | 500.00       |
| Payment of installment on loan of Sinking Fund Commission ..... | \$3,600.00   |
| Interest .....  | 720.00       |
| Payment for 10 voting machines .....                            | \$ 17,172.92 |

|   |             |            |
|---|-------------|------------|
| Plus interest at four per cent to May 15, 1963 .....  | 656.00      | 17,828.92  |
| <hr/>   |             |            |
| Expenditure for Law Library .....   |             | 2,200.00   |
| Payment to Secretary of Delegation .....  |             | 200.00     |
| Payment for overtime work in R.M.C. Office .....  |             | 1,092.70   |
| Loan to Hilltop Sewer District .....  |             | 4,000.00   |
| Payment of audit made for the fiscal year ended June 30, 1962 .....   |             | 4,933.75   |
| Radios and Sirens for Civil Defense. To be reimbursed in part by Federal Government .....   |             | 4,812.13   |
| Aero Map Service as follows:  |             |            |
| Aero Space Room for building partitions, installing electrical wiring, etc. ....  | \$ 600.00   |            |
| Additional for floor and equipment ....   | 300.00      |            |
| <hr/>   |             |            |
|   | \$ 900.00   |            |
| For furnishing copy of all transfers of property from January, 1962, through duration of the project .....  | \$ 2,000.00 | 2,900.00   |
| <hr/>   |             |            |
| Decals for Volunteer Fire Department ..   | \$ 104.00   |            |
| Less balance on hand to be validated ..   | 28.55       | 75.45      |
| <hr/>   |             |            |
| Authorization for \$1,220.00 for radio equipment for rescue squads .....  |             | 1,220.00   |
| Expense—Library Employee injured .....  |             | 2,580.40   |
| For Block Map and Records System Survey of Spartanburg County, South Carolina, according to contract duly executed with Aero Service Corporation the total sum of \$194,940.00. <i>Provided</i> , however, the balance shown to the credit of the Block Map Account on June 30, 1962, in the sum of \$18,923.95, is applied to this appropriation leaving additional amount of \$176,016.05 herewith appropriated ..... |             | 176,016.05 |
| Transfer of \$300.00 from appropriation of heat and lights to purchase of typewriter and adding machine for all fire departments.   |             |            |
| Salary of second clerk in Civil Court Office from "D" to "C".   |             |            |

There is to be transferred the sum of \$1,655.77 from the Supplies to the miscellaneous expense account of the County Supervisor.

|  |              |
|--|--------------|
| Loan for survey and expenses to Roebuck-Woodruff Water District for the Stone Station section and area to be repaid out of any bonds sold for said District for the above purposes .....                               | 1,500.00     |
| Loan for survey and expenses to Roebuck-Woodruff Water District for the Hobbysville, Enoree, Cross Anchor, Cashville and areas to be repaid out of any bonds sold for this Water District for the above purposes ..... | 4,000.00     |
| Total .....  | \$264,859.00 |

**SECTION 3.** This act shall take effect upon approval by the Governor.

Approved the 12th day of July, 1963.

(R670, H1905)

### No. 662

**An Act To Amend An Act Of 1963 Bearing Ratification No. 79 Creating The Hilltop Sewer District In Spartanburg County, So As To Change The Name Of The District To The Hilltop Sub-sewer District And To Further Provide For Its Area And Powers.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Act 652 of 1963 amended—findings of General Assembly.**—The preamble to an act of 1963 bearing Ratification No. 79 is amended to read as follows:

“Whereas, the General Assembly, after due investigation has found that the area in Spartanburg County described below has become populated to an extent that it makes it necessary and desirable for the health and welfare of the inhabitants to be served by a publicly operated sewer and collection system; and

Whereas, as a consequence of its findings above recited, the General Assembly has deemed to constitute the area as a special sewer dis-

trict, thus providing a governing body for the district and empower the governing body as herein provided. Now, therefore,”.

**SECTION 2. Act 652 of 1963 amended—Hilltop Subsewer District created in Spartanburg County—area.**—Section 1 of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

“Section 1. There is hereby created and established in Spartanburg County a district to be known as Hilltop Subsewer District, which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory:

Beginning with the intersection of the Spartanburg City Limits with the southern boundary of the C. C. & O. Railroad right-of-way; thence along said right-of-way in an easterly direction to the center of the run of Lawson's Fork Creek; thence up the center of the run of Lawson's Fork Creek to Whitney Mill Village; thence around the boundary of Whitney Mill Village to the center of the run of Lawson's Fork Creek; and thence along the center of the run of Lawson's Fork Creek to its intersection with State Highway I-85; thence in a westerly direction along Highway I-85 to the eastern boundary of the property of Ridgeview Realty Corporation (Deering Milliken Corporation); thence along the boundary of the property of the Ridgeview Realty Corporation lying south of Highway I-85 to its intersection with U. S. Highway I-85 in the vicinity of Hearon Circle; thence in a westerly direction along U. S. Highway I-85 to its junction with the boundary of the Una Water District; thence along the boundary of the Una Water District in a southerly direction to the city limits of the City of Spartanburg; thence along the city limit line of the City of Spartanburg in an easterly direction to its intersection with Old Howard Gap Road; thence along Old Howard Gap Road to its intersection with Harvin Street; thence along Harvin Street in an easterly direction to its intersection with Howard Street; thence north on Howard Street for a distance of approximately 170 feet to the intersection of Howard Street and the property line of Glenwood Estates; thence along the property line of Glenwood Estates in an easterly direction to its intersection with Centennial Street; thence in a southerly direction along Centennial Street to the property line of the Glenwood Estates; thence in a westerly direction to the Asheville Highway along the property line of the Glenwood

**Estates; thence south for approximately 300 feet; thence in a westernly direction along Allen Avenue Extension to Sullivan Street; thence in a northwesternly direction along Sullivan Street to Howard Street; thence in a southernly direction along Howard Street to the city limit line; thence in an easternly direction along the city limit line to Centennial Street; thence in a northernly direction on Centennial Street for approximately 200 feet to Little Chinquapin Creek; thence in an easternly direction along Little Chinquapin Creek to U. S. Highway 221; thence in a southernly direction along U. S. Highway 221 to the city limits of the City of Spartanburg; thence along the city limits of Spartanburg to the point of beginning.**

The above description is to include Sullivan Street, Scruggs Avenue, Allen Avenue and Swanee Street; that all of the property in the Glenwood Estates now served by sewer is excluded in the above description."

**SECTION 3. Act 652 of 1963 amended—managed by commission — members — appointments — terms — vacancies.**—Section 2 of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

"Section 2. The district shall be operated and managed by a commission to be known as 'Hilltop Subsewer Commission', (the commission) which shall consist of three resident electors of the district. The following persons shall constitute the initial members of the commission and shall serve for terms as follows: W. E. Caldwell, Hilltop area, for a term of six years; Carl H. Bonner, Mayfair area, for a term of four years; and W. T. Kerns, Allen Acres area, for a term of two years.

The regular terms of office of the members of the commission shall be for six years. In all cases, the members of the commission shall hold office until their successors qualify. The commission, except the initial members, who are named herein, shall be appointed by the Governor upon the recommendation of the legislative delegation from the county, including the Senator. The initial term shall begin as of the effective date of this act. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the legislative delegation of Spartanburg County, including the Senator."

**SECTION 4. Act 652 of 1963 amended—powers and duties.—**

The first paragraph and subparagraphs 1 through 13 of Section 3 of an act of 1963 bearing Ratification No. 79 are amended to read as follows:

“Section 3. There is hereby committed to the district the functions of constructing, operating, maintaining, improving, and extending a sewer disposal system. To that end, the commission shall be empowered as provided below:

1. To have perpetual succession.
2. To sue and be sued.
3. To adopt, use and alter a corporate seal.
4. To make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. Subject to any pledge thereof, to deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. To prescribe regulations requiring persons who shall be residents of the district to make use of the sewer system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission, a certified copy thereof has been recorded in the Office of the Register of Mesne Conveyance for Spartanburg County, a copy has been posted in the Spartanburg County Courthouse and in at least two other public places in the district, and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Spartanburg County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which they shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption and such notice shall appear in a newspaper published in Spartanburg County, and having general circulation in the district, no less than seven days prior to the occasion fixed for the holding of such meeting. The provision of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of sewage disposal facilities, shall not be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act. Such regulations are authorized in the interest of the health of the district; and the commission is expressly authorized to apply to any court of general jurisdiction for

the enforcement of such regulations through the means of mandatory injunction or other remedial process.

7. To acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. To build, construct, operate and maintain sewer lines throughout the district and sewage disposal facilities, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same.

9. To make use of county and state highway rights-of-way in which to lay the lines in such manner and under such conditions as the appropriate officials in charge of such rights-of-way shall approve.

10. To exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Chapter 3, Title 25, of the 1962 Code, or by following the procedure for the exercise of eminent domain by the State Highway Department, prescribed by Article 2, Chapter 3, Title 33, of the 1962 Code.

11. To appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

12. To make contracts for construction, engineering and other services, with or without competitive bidding.

13. To issue, under the conditions prescribed by Section 4 of this act, general obligation bonds of the district, in the amount not exceeding nine hundred thousand dollars."

**SECTION 5. Act 652 of 1963 amended—powers and duties—further.**—Section 3 of an act of 1963 bearing Ratification No. 79 is amended by adding after subparagraph 13 the following new subparagraph:

"13.1. To enter into contracts with the Commissioners of Public Works of the City of Spartanburg (the commissioners) on terms and conditions to be mutually agreed upon, by which the commission shall constitute the commissioners the agent of the commission for the purpose of collecting such charges as the commission shall from time to time impose upon those who utilize its sewage disposal facilities, and to empower the commissioners as such agent to disconnect service upon failure of any user to pay such charges."

**SECTION 6. Act 652 of 1963 amended—may borrow money and issue bonds.**—The first paragraph of subparagraph 14 of Section 3 of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

“14. In addition to the powers given by paragraph 13 of this section, the commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from all or any part of the revenue derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all costs incident to the construction and establishment of its sewer system, or such sum as may be needed to pay the cost of any extension, addition and improvement to the sewer system. If the method of financing authorized by this paragraph is used, neither the faith and credit of the State of South Carolina, nor of Spartanburg County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligation shall be personally liable thereon. That a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all the powers granted by Article 6, Chapter 4, Title 59, and by Chapter 6, Title 59, of the 1962 Code. In exercising the powers conferred upon the district by such Code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provision, the district may:”

**SECTION 7. Act 652 of 1963 amended—may issue bonds.**—The first paragraph of Section 4 of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

“The commission, on behalf of the district, shall be empowered to issue not exceeding nine hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing a sewer system in the district. For the purpose of this section, the term ‘construct and establish’ shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such system, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work

done or material furnished, financing charges, interest prior to and during construction and for twelve months after completion of construction, cost of engineering service, legal service, legal expenses, plans, specifications, surveys, administrative expenses, and such other expenses as may be necessary or incident to the construction of the system, and the placing of same in operation. General obligation bonds shall be issued only in the event the election required by Section 5 of this act shall result favorably. All or any general obligation bonds issued pursuant to this act may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the district. The words 'net revenues' as used in this paragraph shall mean that sum remaining from the aggregate of all monies realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facilities, whose revenue shall be pledged. If, pursuant to this paragraph, general obligation bonds are issued:"

**SECTION 8. Act 652 of 1963 amended—execution.**—Section 4(d) of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

"(d) Such bonds shall be executed in the name of Hilltop Subsewer District by the chairman and secretary of Hilltop Subsewer Commission, under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution or authentication".

**SECTION 9. Act 652 of 1963 amended—payment.**—Section 4(e) of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

"(e) There shall be irrevocably pledged, for the payment of the bonds and interest as they mature, the full faith, credit and resources of the district, and the Auditor and Treasurer of Spartanburg County are hereby authorized and directed to levy and collect annually a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The bonds may be additionally secured by a pledge of the net revenues which the district may derive from the

operation of any revenue-producing facility. In such event, such net revenues as shall be available shall be delivered to a fiscal agent of the district or to the Treasurer of Spartanburg County, who shall set them apart in a special fund and apply them solely to the payment of the principal and interest of the bonds, so additionally secured by a pledge of such net revenues, so long as any principal or interest of the bonds remain outstanding. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues, as aforesaid, actually available to the Treasurer of Spartanburg County at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such monies on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid."

**SECTION 10. Act 652 of 1963 amended—election concerning issuance of bonds.**—Section 5 of an act of 1963 bearing Ratification No. 79 is amended to read as follows:

"Section 5. The commission shall make provisions for the holding of a special election in the district on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by Section 4 of this act. The election shall be conducted by the Commissioners of Election for Spartanburg County, who shall give notice of the election by publication once each week, for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several voting precincts in the district, as the same are now established by law. The question submitted shall show on its face the primary purpose for which the proceeds of the bond issue are to be expended, and with the blank set forth therein appropriately completed. The question shall be submitted in substantially the following form:

'Shall the Hilltop Subsewer District issue bonds in a sum not exceeding nine hundred thousand dollars, the proceeds of which shall be used to construct and establish a sewage disposal system for the district?'

Yes ☐

No ☐

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word 'No' and that if he is opposed to the issuance of bonds, he shall erase or strike through the word 'Yes'. The managers of election at each precinct shall count the ballots and forthwith return the results of the election together with the original ballots and tally sheets, to the Commissioners of Election of Spartanburg County who shall declare the results of the election. If the commissioners determine that a majority of those voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 4 of this act, but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued under the provisions of Section 4 of this act."

**SECTION 11. Act 652 of 1963 amended—Section 7 added—repeal.**—An act of 1963 bearing Ratification No. 79 is amended by adding a new section which shall be Section 7 as follows:

"Section 7. All acts or parts of acts inconsistent herewith are repealed to the extent of such inconsistencies."  
Re-number remaining section to conform.

**SECTION 12. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 19th day of July, 1963.

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(R320, H1633)

No. 663

**An Act To Amend Act No. 1242 Of 1962, Relating To The Issuance Of Bonds By Sumter County To Renovate And Enlarge Its Courthouse, So As To Increase The Amount Of Bonds Which May Be Issued.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 1242 of 1962, the County Board of Commissioners of Sumter County was authorized to issue not exceeding six hundred thousand dollars of general obligation bonds of the county for the purpose of renovating and enlarging the Sumter

County Courthouse. The General Assembly now finds that such renovations will require an additional four hundred thousand dollars. Therefore, it is determined to empower the County Board of Commissioners of Sumter County to issue bonds in such additional amount, thereby making the aggregate total of such issue one million dollars.

**SECTION 2. Section 1 of Act 1242 of 1962 amended—Sumter County may issue bonds.**—Section 1 of Act No. 1242 of 1962 is amended by striking “six hundred thousand” where it appears on lines two and six and inserting in lieu thereof “one million”. The section, when amended, shall read as follows:

“Section 1. The County Board of Commissioners of Sumter County is authorized to issue not exceeding one million dollars of general obligation bonds of the county for the purpose of renovating and enlarging the existing county courthouse. The bonds shall be issued either as a single issue or from time to time as several separate issues not to exceed one million dollars.”

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 9th day of May, 1963.

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(R579, H1706)

**No. 664**

**An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1963; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter so much as may be necessary, but not in excess of fifteen mills, for general county purposes.

Item 1. Roads and Bridges:

|   |              |
|---|--------------|
| A-70 General Fund—Roads & Bridges ..... | \$100,000.00 |
| A-72 Salary—County Engineer .....       | 10,000.00    |
| A-73 Salary—Road Superintendent .....   | 7,500.00     |

|  |              |
|--|--------------|
| A-75 Salary—Yard Superintendent .....                  | 3,780.00     |
| A-80 Salaries—Gang Guards & Employees .....            | 55,000.00    |
| A-85 Purchase Machinery & Equipment .....              | 10,000.00    |
| A-90 Gang Buildings—Repairs & Upkeep .....             | 1,000.00     |
| <hr/>  |              |
| Total, Item 1—Roads & Bridges .....                    | \$187,280.00 |
| Item 2. Public Buildings:                              |              |
| A-101 Repairs & Maintenance of Buildings .....         | \$ 3,500.00  |
| A-102 Purchase Furniture, Fixtures, etc. ....          | 2,500.00     |
| A-103 Repairs & Maintenance—Furniture & Fixtures ..... | 800.00       |
| A-104 Insurance—Storm, Fire, Explosion .....           | 5,000.00     |
| A-105 Heat, Water, Lights, Sanitary Supplies .....     | 9,000.00     |
| A-106 Salary—Maintenance Supervisor .....              | 4,380.00     |
| A-109 Special Janitor Services .....                   | 100.00       |
| A-110 Care of Public Grounds .....                     | 500.00       |
| <hr/>  |              |
| Total, Item 2—Public Buildings .....                   | \$ 25,780.00 |
| Item 3. Court Costs:                                   |              |
| A-120 Jury Pay & Court Expense .....                   | \$ 8,000.00  |
| A-121 Court Stenographer Supplies .....                | 240.00       |
| <hr/>  |              |
| Total, Court Costs .....                               | 8,240.00     |
| Clerk of Court:  |              |
| A-125 Salary—Clerk of Court .....                      | 8,100.00     |
| A-126 Salary—Deputy Clerk of Court .....               | 4,920.00     |
| A-127 Salary—2nd Deputy Clerk of Court .....           | 3,500.00     |
| A-128 Clerk II—Clerk of Court .....                    | 2,614.00     |
| A-129 Clerk II—Clerk of Court .....                    | 2,614.00     |
| <hr/>  |              |
| Total, Clerk of Court .....                            | 21,748.00    |
| Coroner:   |              |
| A-140 Salary—Coroner .....                             | 2,400.00     |
| Expense—Coroner .....                                  | 900.00       |
| A-145 Coroner's Juries, Inquests, etc. ....            | 1,000.00     |
| <hr/>  |              |
| Total, Coroner .....                                   | 4,300.00     |
| Magistrates:   |              |
| A-150 Salary—Magistrate 3rd District .....             | 3,850.00     |
| A-151 Salary—Clerk I to Magistrate .....               | 3,213.00     |

|   |              |
|---|--------------|
| A-154 Salary—Magistrate 8th District .....                    | 1,200.00     |
| A-154A Expense—Magistrate 8th District .....                  | 300.00       |
| A-155 Salary—Other 6 Magistrates .....                        | 9,360.00     |
| <hr/>   |              |
| Total, Magistrates .....                                      | 17,923.00    |
| Master:   |              |
| A-160 Office rent—Master .....                                | 240.00       |
| <hr/>   |              |
| Total, Master .....   | 240.00       |
| Probate Judge:  |              |
| A-164 Salary—Judge of Probate .....                           | 6,000.00     |
| A-165 Salary—Clerk II—Judge of Probate .....                  | 3,276.00     |
| <hr/>   |              |
| Total, Judge of Probate .....                                 | 9,276.00     |
| Lunacy Examinations:  |              |
| A-175 Mental Health and Lunacy Examinations ....              | 3,500.00     |
| <hr/>   |              |
| Total, Lunacy Examinations .....                              | 3,500.00     |
| Civil & Domestic Relations Court:                             |              |
| A-180 Salary—Judge, Civil & Domestic Relations<br>Court ..... | 10,000.00    |
| A-182 Salary—Probation Counsellor .....                       | 4,920.00     |
| A-183 Mileage—Probation Counsellor .....                      | 900.00       |
| A-186 Salary—Clerk I—Domestic Relations Court ..              | 1,890.00     |
| A-187 Salary—Clerk II—Domestic Relations Court ..             | 2,850.75     |
| A-191 Court Expense—Civil & Domestic Relations<br>Court ..... | 4,000.00     |
| <hr/>   |              |
| Total, Civil & Domestic Relations Court .....                 | 24,560.75    |
| Jail:   |              |
| A-200 Jail—Food Only .....                                    | 6,000.00     |
| A-200A Jail—Expense other than food .....                     | 4,000.00     |
| A-201 Salary—Jailer .....                                     | 3,339.00     |
| A-203 Salary—Assistant Jailer .....                           | 2,898.00     |
| <hr/>   |              |
| Total, Jail .....   | 16,237.00    |
| <hr/>   |              |
| Total, Item 3—Court Expense .....                             | \$106,024.75 |

## Item 4. Poor and Needy:

## Emergency Relief:

|  |           |
|--|-----------|
| A-210 Relief—General and Emergency ..... | \$ 500.00 |
| A-211 Charity Coffins .....              | 2,000.00  |
| A-212 Child Health & Welfare .....       | 1,200.00  |

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Total, Emergency Relief ..... 3,700.00

## Department of Public Welfare:

|  |        |
|--|--------|
| A-220 Department of Public Welfare ..... | 600.00 |
| A-222 Travel—Child Welfare Worker .....  | 500.00 |

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Total, Department of Public Welfare ..... 1,100.00

## Hospitalization:

|  |           |
|--|-----------|
| A-225 Hospitalization—Tuomey Hospital only .....     | 35,000.00 |
| A-226 Certification by Dept. of Public Welfare ..... | 2,000.00  |
| A-228 Outpatients—Other Hospitals & Homes .....      | 3,500.00  |

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Total, Hospitalization ..... 40,500.00

## Tuberculosis:

|   |          |
|---|----------|
| A-235 Pneumothorax—TB Outpatients & Medicines ..... | 1,000.00 |
|---|----------|

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Total, Tuberculosis ..... 1,000.00

## Nursing Center:

|   |        |
|---|--------|
| A-241 Recreation & Nursing Center ..... | 240.00 |
|---|--------|

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Total, Nursing Center ..... 240.00

## Charity School Clothing:

|   |          |
|---|----------|
| A-244 Clothing, Needy School Children ..... | 1,500.00 |
|---|----------|

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Total, Charity School Clothing ..... 1,500.00

## Health Department:

|                                      |           |
|--------------------------------------|-----------|
| A-247 County Health Department ..... | 31,500.00 |
| A-248 Pharmaceuticals .....          | 100.00    |

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Total, Health Department ..... 31,600.00

## County Service Office:

|  |          |
|--|----------|
| A-250 Salary—County Service Officer .....      | 4,500.00 |
| A-252 Salary—Clerk II to Service Officer ..... | 2,520.00 |

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Total, Service Office ..... 7,020.00

|   |              |
|---|--------------|
| Children's Homes:   |              |
| A-260 Children's Homes & Foster Homes .....               | 360.00       |
| <hr/>   |              |
| Total, Children's Homes .....                             | 360.00       |
| Pensions:   |              |
| A-270 Pensions—Confederate Widows (2) .....               | 900.00       |
| <hr/>   |              |
| Total, Pensions .....                                     | 900.00       |
| <hr/>   |              |
| A-271 Mental Health:                                      |              |
| Mental Health Board .....                                 | 12,000.00    |
| <hr/>   |              |
| Total, Mental Health .....                                | 12,000.00    |
| <hr/>   |              |
| Total, Item 4—Poor and Needy .....                        | \$ 99,920.00 |
| Item 5. Law Enforcement:                                  |              |
| Sheriff:  |              |
| A-275 Salary—Sheriff .....                                | \$ 8,100.00  |
| A-276 Auto Expense—Sheriff .....                          | 2,000.00     |
| A-277 Chief Deputy Sheriff—Salary .....                   | 4,900.00     |
| Expense .....   | 2,940.00     |
| A-278 Ass't. Chief Deputy Sheriff—Salary .....            | 4,000.00     |
| Expense .....   | 2,940.00     |
| A-285 Other 9 Deputies—Salary (\$320.00) .....            | 34,560.00    |
| Expense (\$235.00) .....                                  | 25,380.00    |
| A-290 Extra Police Help .....                             | 2,500.00     |
| A-292 Salary—Clerk I to Sheriff .....                     | 2,908.50     |
| A-295 Extra Help—Sheriff's Office .....                   | 720.00       |
| A-298 Uniforms and Supplies .....                         | 3,000.00     |
| A-299 Arms, Ammunition, Schools, Technical Supplies ..... | 500.00       |
| A-301 Rural Police Radio Service .....                    | 2,500.00     |
| A-302 Transportation of Prisoners .....                   | 1,000.00     |
| A-303 Secret Service and Rewards .....                    | 1,000.00     |
| A-304 S. C. Police Officers' Retirement System .....      | 12,000.00    |
| <hr/>   |              |
| Total, Sheriff .....                                      | 110,948.50   |
| Solicitor:  |              |
| A-310 Expense—Solicitor .....                             | 600.00       |
| A-311 Salary—Clerk II to Solicitor .....                  | 2,625.00     |
| <hr/>   |              |
| Total, Solicitor .....                                    | 3,225.00     |

## Probation Office:

|   |        |
|---|--------|
| A-313 Office Expense—S. C. Probation & Parole Board | 150.00 |
|---|--------|

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|                               |        |
|-------------------------------|--------|
| Total, Probation Office ..... | 150.00 |
|-------------------------------|--------|

## County Attorney:

|                                    |        |
|------------------------------------|--------|
| A-315 Salary—County Attorney ..... | 900.00 |
|------------------------------------|--------|

|  |          |
|--|----------|
| A-316 Legal Expense —County Attorney ..... | 2,000.00 |
|--|----------|

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|                              |          |
|------------------------------|----------|
| Total, County Attorney ..... | 2,900.00 |
|------------------------------|----------|

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|                                     |              |
|-------------------------------------|--------------|
| Total, Item 5—Law Enforcement ..... | \$117,223.50 |
|-------------------------------------|--------------|

## Item 6. Administration:

## County Board of Commissioners:

|   |          |
|---|----------|
| A-320 County Board—Per diem, salary and travel ..\$ | 8,000.00 |
|---|----------|

|  |          |
|--|----------|
| A-323 Salary—Clerk to County Board ..... | 6,500.00 |
|--|----------|

|   |          |
|---|----------|
| A-325 Salary—Deputy Clerk and Bookkeeper to Board | 4,080.00 |
|---|----------|

|  |          |
|--|----------|
| A-330 Contingent Fund—County Board ..... | 1,500.00 |
|--|----------|

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|  |           |
|--|-----------|
| Total, County Board of Commissioners ..... | 20,080.00 |
|--|-----------|

## Auditor:

|                                 |          |
|---------------------------------|----------|
| A-335 Part Salary—Auditor ..... | 3,352.00 |
|---------------------------------|----------|

|                                   |          |
|-----------------------------------|----------|
| A-336 Salary—Deputy Auditor ..... | 4,080.00 |
|-----------------------------------|----------|

|  |          |
|--|----------|
| A-337 Salary—Clerk II to Auditor ..... | 2,520.00 |
|--|----------|

|  |          |
|--|----------|
| A-338 Salary—Clerk II to Auditor ..... | 2,740.50 |
|--|----------|

|  |          |
|--|----------|
| A-339 Salary—Clerk II to Auditor ..... | 2,646.00 |
|--|----------|

|   |          |
|---|----------|
| A-340 Extra Help—Auditor's Office ..... | 2,000.00 |
|---|----------|

|   |        |
|---|--------|
| A-341 Per Diem—Tax Assessors and Appeals Board. | 250.00 |
|---|--------|

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|                      |           |
|----------------------|-----------|
| Total, Auditor ..... | 17,588.50 |
|----------------------|-----------|

## Treasurer:

|                                   |          |
|-----------------------------------|----------|
| A-344 Part Salary—Treasurer ..... | 3,000.00 |
|-----------------------------------|----------|

|   |          |
|---|----------|
| A-346 Salary—Clerk I to Treasurer ..... | 3,129.00 |
|---|----------|

|                                   |          |
|-----------------------------------|----------|
| A-347 Clerk II to Treasurer ..... | 2,604.00 |
|-----------------------------------|----------|

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|                        |          |
|------------------------|----------|
| Total, Treasurer ..... | 8,733.00 |
|------------------------|----------|

## Tax Collector:

|                                  |          |
|----------------------------------|----------|
| A-355 Salary—Tax Collector ..... | 5,700.00 |
|----------------------------------|----------|

|                                    |        |
|------------------------------------|--------|
| A-355A Mileage—Tax Collector ..... | 650.00 |
|------------------------------------|--------|

|   |          |
|---|----------|
| A-356 Salary—Clerk I to Tax Collector ..... | 3,150.00 |
|---|----------|

|  |          |
|--|----------|
| A-357 Salary—Clerk II to Tax Collector .....       | 2,520.00 |
| A-360 Salary & Mileage—Tax Collector's Riders .... | 8,000.00 |
| A-363 Extra Help—Tax Collector's Office .....      | 250.00   |
| A-364 Tax Warrant Service Fees to Police .....     | 800.00   |

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|                            |           |
|----------------------------|-----------|
| Total, Tax Collector ..... | 21,070.00 |
|----------------------------|-----------|

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|                                    |              |
|------------------------------------|--------------|
| Total, Item 6—Administration ..... | \$ 67,471.50 |
|------------------------------------|--------------|

## Item 7. Miscellaneous:

|   |             |
|---|-------------|
| A-365 Expense—Rural Fire Control .....                        | \$ 7,000.00 |
| A-370 Telephone & Telegraph .....                             | 9,000.00    |
| A-371 Postage, Stationery, Office Supplies .....              | 17,000.00   |
| A-372 General Election Expense .....                          | 200.00      |
| A-374 Annual Audit ..   | 3,000.00    |
| A-375 Advertising Tax Sales, Bids, Reports, etc. ....         | 750.00      |
| A-376 Salary—Vital Statistics Clerk .....                     | 2,400.00    |
| A-377 Employees' Group Insurance Premiums .....               | 2,500.00    |
| A-380 Officials' and Employees' Bond Premiums ....            | 850.00      |
| A-381 Sumter County Historical Commission .....               | 500.00      |
| A-382 Workmen's Compensation Premium Tax ....                 | 200.00      |
| A-383 State Retirement—County's Share .....                   | 9,500.00    |
| A-384 Social Security—County's Share .....                    | 10,000.00   |
| A-385 Rabies Control—Dog Warden's Salary & Ex-<br>pense ..... | 1,000.00    |
| A-386 County Planning Board .....                             | 5,046.84    |
| A-387 Sumter Chamber of Commerce .....                        | 1,000.00    |
| A-389 Sumter County Development Board .....                   | 5,000.00    |
| A-390 Maintenance—Sumter City Streets .....                   | 50,000.00   |

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|                                   |              |
|-----------------------------------|--------------|
| Total, Item 7—Miscellaneous ..... | \$124,946.84 |
|-----------------------------------|--------------|

## Item 8. National Defense:

|   |             |
|---|-------------|
| A-392 Sumter Armory Maintenance .....     | \$ 1,000.00 |
| A-392A Civil Defense Expense .....        | 2,500.00    |
| A-393 U. S. Naval Reserve Unit 6-22 ..... | 250.00      |
| A-395 Armed Services YMCA .....           | 990.00      |

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|                                      |             |
|--------------------------------------|-------------|
| Total, Item 8—National Defense ..... | \$ 4,740.00 |
|--------------------------------------|-------------|

## Item 9. Insect &amp; Pest Control:

|  |             |
|--|-------------|
| A-397 Sumter County Fly & Mosquito Control ..... | \$ 4,400.00 |
| A-398 City DDT Campaign .....                    | 1,500.00    |
| <hr/>  |             |
| Total, Item 9—Insect & Pest Control .....        | \$ 5,900.00 |

## Item 10. Education:

## Superintendent of Education:

|   |           |
|---|-----------|
| A-402 Per Diem—County Board of Education .....    | \$ 570.00 |
| A-405 Salary—Superintendent of Education .....    | 1,870.00  |
| A-406 Salary—Clerk II to Supt. of Education ..... | 2,961.00  |
| A-407 Salary—School Attendance Supervisor .....   | 1,704.00  |
| A-408 Salary—Clerk II to Attendance Supervisor .. | 2,961.00  |
| <hr/>   |           |

Total, Superintendent of Education ..... 10,066.00

## Future Homemakers of America:

|  |        |
|--|--------|
| A-412 Future Homemakers of America ..... | 200.00 |
| <hr/>                                    |        |

Total, Future Homemakers of America ..... 200.00

## Home Demonstration Agent:

|   |          |
|---|----------|
| A-415 Part Salary—Home Demonstration Agent ....   | 240.00   |
| A-416 Part Salary—Ass't Home Demonstration Agent  | 240.00   |
| A-417 Salary—Steno to Home Demonstration Agent .. | 1,380.00 |
| A-418 Home Demonstration Supplies .....           | 225.00   |
| A-420 Sumter County Council of Farm Women ....    | 100.00   |
| <hr/>   |          |

Total, Home Demonstration Agent ..... 2,185.00

## County Farm Agent:

|   |          |
|---|----------|
| A-430 Part Salary—Farm Agent .....                              | 1,840.00 |
| A-431 Part Salary—Ass't. of Farm Agent .....                    | 540.00   |
| A-432 Part Salary—Ass't. to Farm Agent .....                    | 1,800.04 |
| A-433 Part Salary—Steno to Farm Agent .....                     | 1,380.00 |
| A-435 Travel—Farm Business Research .....                       | 200.00   |
| A-436 White Farm Agent—Long Distance Telephone<br>expense ..... | 300.00   |
| <hr/>   |          |

Total, County Farm Agent ..... 6,060.04

## Negro Home and Farm Agents:

|   |        |
|---|--------|
| A-445 Part Salary—Negro Farm Agent .....                  | 480.00 |
| A-446 Part Salary—Negro Home Demonstration<br>Agent ..... | 920.00 |

|       |  |              |
|-------|--|--------------|
| A-447 | Salary—Negro Clerical Help .....             | 1,800.00     |
| A-448 | Office Rent—Negro Farm Agent .....           | 900.00       |
| A-452 | Office Rent—Jeanes Teacher .....             | 210.00       |
| A-449 | Supplies—Negro Home & Farm Agents .....      | 250.00       |
|       | <hr/>  |              |
|       | Total, Negro Home and Farm Agents .....      | 4,560.00     |
|       | 4-H Camps and Club Work:                     |              |
| A-455 | 4-H Summer Camp Expense .....                | 650.00       |
|       | <hr/>  |              |
|       | Total, 4-H Camps and Club Work .....         | 650.00       |
|       | Soil Conservation Office:                    |              |
| A-462 | Salary—Steno to Soil Conservation Agent .... | 1,200.00     |
|       | <hr/>  |              |
|       | Total, Soil Conservation Office .....        | 1,200.00     |
|       | County Fair:                                 |              |
| A-465 | Sumter County Fair Association .....         | 1,300.00     |
|       | <hr/>  |              |
|       | Total, County Fair .....                     | 1,300.00     |
|       | Forest Ranger:                               |              |
| A-470 | Part Salary—Forest Ranger .....              | 240.00       |
|       | <hr/>  |              |
|       | Total, Forest Ranger .....                   | 240.00       |
|       | Cotton Platform:                             |              |
| A-475 | Rent—Cotton Platform .....                   | 360.00       |
|       | <hr/>  |              |
|       | Total, Cotton Platform .....                 | 360.00       |
|       | Game Wardens:                                |              |
| A-480 | Game Warden—Telephone Expense .....          | 120.00       |
| A-481 | Game Wardens' Expense .....                  | 720.00       |
|       | <hr/>  |              |
|       | Total, Game Wardens .....                    | 840.00       |
|       | Technical Education:                         |              |
| A-482 | Technical Education Center .....             | 11,000.00    |
|       | <hr/>  |              |
|       | Total, Technical Education .....             | 11,000.00    |
|       | <hr/>  |              |
|       | Total, Item 10—Education .....               | \$ 38,661.04 |
|       | <hr/>  |              |
|       | GRAND TOTAL .....                            | \$777,947.63 |

**SECTION 2.** Before any new county employee is employed by any department, the County Board of Commissioners shall first approve the salary or compensation to be received by such new employee, which salary or compensation shall not exceed that as set forth in the prevailing salary schedule.

**SECTION 3.** The amount herein provided for the salary of the Sheriff, Treasurer, Judge of Probate and Clerk of Court shall be in lieu of all fees collected pursuant to the laws of the State of South Carolina and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1963, except that the Sheriff shall be entitled to retain fees and filing costs for services in civil matters.

**SECTION 4.** The above accounts shall be kept separate and expended for the purposes for which appropriated; and the County Board of Commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of the county delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

**SECTION 5.** In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corporations of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the County Board of Commissioners and on purchases amounting to one hundred dollars, or more, bids from two or more vendors shall be called for.

**SECTION 6.** The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

**SECTION 7.** The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of

the courthouse and no use shall be had of that part of the building without the consent and approval of the chairman.

**SECTION 8.** The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient:

- A-120 Jury Pay & Court Expense
- A-191 Court Expense—Civil & Domestic Relations Court
- A-383 State Retirement—County's share
- A-384 Social Security—County's share
- A-304 S. C. Police Officers' Retirement System
- A-375 Advertising Tax Sales, Bids, Reports, etc.
- A-402 Per Diem—County Board of Education
- A-145 Coroner's Juries, Inquests, etc.
- A-175 Mental Health and Lunacy Examinations
- A-341 Per Diem—Tax Assessors and Appeals Board
- A-380 Officials' and Employees' Bond Premiums
- A-364 Tax Warrant Service Fees to Police
- A-382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

**SECTION 9.** The County Board of Commissioners shall publish, in at least one newspaper published in the county, a consolidated statement of all receipts and disbursements annually, as of July first of each year.

**SECTION 10.** The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes, to be used for the maintenance of streets in the City of Sumter.

**SECTION 11.** The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

**SECTION 12.** Notwithstanding the provisions of Section 64-151 of the 1962 Code, in Sumter County only National Thanksgiving Day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

**SECTION 13.** No levy for school purposes shall be made in any district unless approved by the county board of education and a majority of the legislative delegation, including the Senator.

**SECTION 14.** Notwithstanding the provisions of Section 42-644 of the 1962 Code, the board of the Carnegie Public Library of Sumter shall submit its annual budget to the county legislative delegation for approval.

**SECTION 15.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R11, H1059)

**No. 665**

**An Act To Validate An Election Held In Union County Hospital District On June 12, 1962, Pursuant To The Provisions Of Act No. 1252 Of The Acts Of 1962, Relating To The Issuance Of Not Exceeding Five Hundred Thousand Dollars Of Bonds By The Union Hospital District Board Of Trustees.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Election in Union County validated.**—The election held on the 12th day of June, 1962, in Union Hospital District (comprising all the territory in Union County), pursuant to the provisions of Act No. 1252 of the Acts of 1962, authorizing the issuance of not exceeding five hundred thousand dollars of bonds of the Union Hospital District, is hereby validated and declared to be legal in all respects, and any bond, or bonds, which may be issued by the Union Hospital District Board of Trustees pursuant to the election are hereby declared to be valid and legal in all respects as obligations of Union Hospital District, notwithstanding any irregularities which may have occurred in the ordering or holding of the election.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 24th day of January, 1963.

(R25, H1096)

**No. 666**

**An Act To Authorize Union County To Borrow From The Division Of Sinking Funds And Property Of The State The Sum Of Thirty Seven Thousand Dollars For Use In Union County By The Conservation District Of Which Union County Is A Part, And To Provide For The Payment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Union County may borrow money.**—The governing body of Union County is authorized to borrow from the Division of Sinking Funds and Property of the State the sum of thirty seven thousand dollars for use in Union County by the soil conservation district of which Union County is a part. The amount so borrowed should be evidenced by notes to be executed by the chairman of the board and the county treasurer and shall bear interest at such rate as is usually charged by the lender but not to exceed four per cent, which shall be payable within a period of five years from the date of issuance of the notes. In order to provide for the payment of the loan and interest thereon, the Treasurer of Union County is authorized to accept sufficient sums from the soil conservation district to pay the installments and interest thereon as they become due.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R356, H1682)

**No. 667**

**An Act To Authorize The County Board Of Education Of Union County To Issue Not Exceeding Two Hundred Thousand Dollars Of General Obligation Bonds Of The School District Of Union County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that the County Board of Education of Union Coun-

ty as constituted by Chapter 61, Title 21, of the 1962 Code, (the County Board) is given by Section 21-4169 of the chapter the function of planning and constructing new school facilities for the School District of Union County (the School District). It further finds that additional public school facilities are needed and certain existing facilities must be improved in the School District at an estimated cost of two hundred thousand dollars. It has therefore determined to empower the County Board to raise such sum through the sale and issue of not exceeding two hundred thousand dollars of general obligation bonds of the School District and to expend the proceeds thereof for such purposes.

**SECTION 2. School District of Union County may issue bonds.**

—In order to raise moneys to construct, equip and repair public school facilities for the public school system of the School District, the County Board is authorized to issue and sell, either as a single issue, or from time to time, as several separate issues, general obligation bonds of the School District in the amount of two hundred thousand dollars, or so much thereof as shall be at the time of issuance within the constitutional debt limitation applicable to the School District.

**SECTION 3. Denominations and maturity.**—All bonds issued pursuant to this act shall be in such denomination, and mature in such annual series or installments as the County Board shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued, and no bond shall mature later than fifteen years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, if any bonds are to be made redeemable prior to their otherwise stated maturities, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them reg-

istered as to principal on the books of the Treasurer of Union County, upon such conditions as the County Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments, under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place or places, within or without the State, as the County Board shall provide.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at a rate or rates determined by the County Board.

**SECTION 8. Exemption.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Board shall by resolution prescribe.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the School District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Union County, and collected by the Treasurer of Union County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in the School District, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Section 65-4.1 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Union County, to be deposited in a Bond Account for the School District, and shall be expended and made use of by, and upon the order of the County Board as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used for the following purposes:

1. To defray the costs of issuing the bonds authorized by this act; and

2. To provide such new school facilities for the School District and such improvements to existing facilities in the School District as shall, in the opinion of the County Board, be most urgently needed.

(d) If any balance remain, the same shall be held by the Treasurer of Union County in a special fund used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Board shall be in addition to all other powers and authorizations previously vested in the County Board and may be availed of pursuant to action taken at any regular or special meeting of the Board.

**SECTION 14. No further action required to issue bonds.**—No action other than that prescribed in this act need be taken to effect the issuance of the bonds herein authorized.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1963.

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(R502, H1713)

No. 668

**An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1.** Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be neces-

sary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1963, and ending June 30, 1964, and to provide for other purposes hereinafter stated:

## Item 1. Auditor's Office:

## A. Salaries:

|                                       |             |
|---------------------------------------|-------------|
| 1. Auditor (County's part) .....      | \$ 2,210.90 |
| 2. Clerk .....                        | 2,915.75    |
| 3. Assistant Clerk .....              | 2,969.25    |
| B. Travel in taking tax returns ..... | 200.00      |

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Total, Item 1 .....

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\$ 8,295.90

## Item 2. Circuit Courts:

A. Expenses of Regular Terms .....

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\$ 5,000.00

*Provided*, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceeding five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any terms of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.

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Total, Item 2 .....

---

\$ 5,000.00

## Item 3. Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:

## A. Salaries:

|                         |             |
|-------------------------|-------------|
| 1. Judge .....          | \$ 5,414.20 |
| 2. Solicitor .....      | 3,916.20    |
| 3. Court Reporter ..... | 2,915.75    |

## B. Expenses, Regular Term:

Court Sessions ..... 3,000.00

*Provided*, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per day for his services. *Provided*, the Judge shall order the payment of the expenses of the Court. (Exempted from Section 8 and Section 16.)

Total, Item 3 ..... \$ 15,246.15

Item 4. Clerk of Court's Office:

A. Salaries:

|   |             |
|---|-------------|
| 1. Clerk of Court .....                     | \$ 5,210.90 |
| 2. Deputy Clerks, 2 @ \$2,915.75 each ..... | 5,831.50    |
| 3. Microfilming .....                       | 275.00      |
| 4. Supplies and Fixtures .....              | 4,000.00    |

Total, Item 4 ..... \$ 15,317.40

Item 5. County Governing Board and Supervisor's Office:

A. Salaries:

|   |             |
|---|-------------|
| 1. Township Commissioners, 8 at \$898.80 each ..  | \$ 7,190.40 |
| <i>Provided</i> , that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year. |             |
| 2. Supervisor .....   | 5,200.00    |
| 3. County Bookkeeper .....  | 4,098.10    |
| 4. Chain Gang Captain .....   | 3,210.00    |
| Expenses .....  | 600.00      |
| 5. Chain Gang Guards, 10 @ \$2,782.00 each ....   | 27,820.00   |
| 6. Mechanic .....   | 3,333.05    |

|   |          |
|---|----------|
| 7. Janitor for Courthouse .....                                   | 2,846.20 |
| 8. County Doctor .....  | 869.37   |
| 9. County Attorney .....  | 1,107.45 |
| 10. Farmer at County Farm .....                                   | 2,782.00 |
| 11. Practical Nurses at County Home, 2 @<br>\$1,348.20 each ..... | 2,696.40 |
| 12. Housekeeper at County Home .....                              | 968.35   |

## B. Materials, Supplies and Repairs:

1. Maintenance and repair of road machinery,  
trucks ..... 15,000.00
  - a. For purchase of new road machinery, if so  
much be necessary ..... 15,000.00*Provided*, that the Supervisor shall cause to be  
kept an accurate record of the operating and  
repair costs with respect to each truck and/or  
machine.
2. Bridges and Bridge Repairs ..... 3,000.00
3. Top Soil and gravel for dirt road maintenance . 2,000.00
4. Feeding, clothing and housing convicts ..... 14,000.00
 

*Provided*, the Captain of the Chain Gang shall  
make a monthly report in writing to County  
Supervisor of all food produced and the use  
made thereof at the County Chain Gang.
5. Gasoline, oil and grease ..... 12,000.00
6. Public buildings—Repairs, heat, lights, power,  
water and telephone ..... 10,000.00
 

*Provided*, that telephones in county offices shall  
not be used for long distance calls except on  
county business; and *provided*, further, that  
\$1,000 of the above figure is set aside exclusive-  
ly for maintenance or repairs on the Courthouse,  
and is to be paid out only on order and approval  
of the Union County Legislative Delegation.
7. Books, stationery and office supplies ..... 5,000.00
 

*Provided*, the different county officers in the  
Union County Courthouse may purchase the  
books, stationery and office supplies for their  
respective offices. (Exempted from Section 8  
and Section 16.)

|   |              |
|---|--------------|
| 8. Materials for maintenance of surface-treated roads .....   | 15,000.00    |
| <i>Provided</i> , that any moneys in excess of \$2,500.00 shall be approved by unanimous order of the Union County Legislative Delegation.  |              |
| C. 1. Surface-treating county roads, including necessary road preparation .....   | 5,000.00     |
| <i>Provided</i> , that the plans and methods and any contracts for surface-treating such roads shall first be approved by the Governing Board, and the Governing Board shall designate the roads to be surface-treated, with unanimous approval of the Union County Legislative Delegation. |              |
| D. County Home .....  | 12,000.00    |
| <i>Provided</i> , the Superintendent of the County Home shall make a monthly report in writing to the County Supervisor of all food produced and the use made thereof on the County Farm and at the County Home.  |              |
| E. Miscellaneous Items :  |              |
| 1. Premiums for insurance on public buildings ....  | 3,000.00     |
| 2. Workmen's Compensation Insurance Premiums .....  | 2,000.00     |
| 3. County's required contribution under Retirement System and Social Security .....   | 9,000.00     |
| 4. Post mortems and lunacies .....  | 1,000.00     |
| <hr/>   |              |
| Total, Item 5 .....   | \$185,721.32 |
| Item 6. Magistrates and Constables :  |              |
| A. Salaries :   |              |
| Magistrate at Buffalo .....   | \$ 927.77    |
| Magistrate at Carlisle .....  | 927.77       |
| Magistrate at Cross Keys .....  | 927.77       |
| Magistrate at Goshen Hill .....   | 927.77       |
| Magistrate at Jonesville .....  | 927.77       |
| Magistrate at Lockhart .....  | 927.77       |
| Magistrate at Santuc .....  | 927.77       |
| Magistrate at Union Courthouse .....  | 4,681.25     |
| Constable at Buffalo .....  | 781.80       |
| Constable at Carlisle .....   | 781.80       |

|                                |        |
|--------------------------------|--------|
| Constable at Cross Keys .....  | 781.80 |
| Constable at Goshen Hill ..... | 781.80 |
| Constable at Jonesville .....  | 781.80 |
| Constable at Lockhart .....    | 781.80 |
| Constable at Santuc .....      | 781.80 |

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Total, Item 6 .....\$ 16,648.24

Item 7. Probate Judge and Master's Office:

A. Salaries:

|  |             |
|--|-------------|
| 1. Probate Judge and Master .....          | \$ 5,210.90 |
| 2. Clerk to Probate Judge and Master ..... | 2,915.75    |

---

Total, Item 7 .....\$ 8,126.65

Item 8. Sheriff's Office:

A. Salaries:

|  |             |
|--|-------------|
| 1. Sheriff .....                                 | \$ 4,979.06 |
| 2. Official expense allowance for Sheriff .....  | 600.00      |
| 3. Ten Deputy Sheriffs @ \$3,852.00 each .....   | 38,520.00   |
| 4. Clerk to Sheriff .....                        | 2,915.75    |
| 5. Jailor and Teletype operator .....            | 3,852.00    |
| 6. Salary, Maintenance of radio system .....     | 642.00      |
| 7. Radio Supplies, if so much be necessary ..... | 2,500.00    |

*Provided*, that no funds shall be paid from this account unless approved by the County Radio Technician.

B. Supplies:

|  |          |
|--|----------|
| 1. Dieting jail prisoners .....  | 4,000.00 |
| <i>Provided</i> , the Sheriff shall receive \$1.20 per day per prisoner, for dieting, if so much be necessary. |          |
| 2. Jail expenses, miscellaneous .....  | 1,200.00 |
| 3. Gasoline, oil and repairs for patrol automobiles and radio system .....                                     | 3,500.00 |

*Provided*, the Sheriff and his deputies shall be furnished with such gasoline and oil, which gasoline and oil shall be used only in discharge of their official duties or official business. The Sheriff and each deputy sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer

receiving same, the amount received and the date thereof. Such ticket shall be transmitted to the county bookkeeper monthly and a permanent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item.

|   |              |
|---|--------------|
| 4. Payment for two patrol cars to be purchased . . . . .  | 3,500.00     |
| <i>Provided</i> , purchases shall be approved by the<br>Governing Board and Legislative Delegation. |              |
| Courthouse Custodian . . . . .  | 600.00       |
| <hr/>   |              |
| Total, Item 8 . . . . .   | \$ 66,808.81 |

Item 9. Treasurer's Office:

|   |             |
|---|-------------|
| A. Salaries:                            |             |
| 1. Treasurer (County's part) . . . . .  | \$ 2,210.90 |
| 2. Clerk to Treasurer . . . . .         | 2,915.75    |
| B. Travel in collecting taxes . . . . . | 200.00      |
| <hr/>                                   |             |
| Total, Item 9 . . . . .                 | \$ 5,326.65 |

Item 10. Miscellaneous Appropriations:

|   |              |
|---|--------------|
| A. Coroner's Salary . . . . .   | \$ 2,034.77  |
| B. Health Officer's Salary (County's part) . . . . .  | 904.59       |
| C. Board of Equalization . . . . .  | 4,000.00     |
| <i>Provided</i> , that each member of the Board of As-<br>sessors shall receive \$8.00 per day for services<br>actually performed.  |              |
| D. Premiums on Officers' Bonds . . . . .  | 1,000.00     |
| E. Audit of Union County's books to be made under<br>the direction of the Grand Jury of Union County . . . . .  | 2,500.00     |
| F. Contingent Fund for Union County Legislative<br>Delegation to meet unforeseen requirements . . . . .   | 20,000.00    |
| G. Adult Education . . . . .  | 1,500.00     |
| H. To be expended as high school textbook rental<br>for children whose parents or guardians are re-<br>ceiving public welfare funds for support, pro-<br>vided Union County Public Welfare Department<br>and Union County Public Schools shall certify<br>entitlement . . . . . | 500.00       |
| <hr/>   |              |
| Total, Item 10 . . . . .  | \$ 32,439.36 |

## Item 11. Pensions and Contributions:

|   |           |
|---|-----------|
| A. Widows of Confederate Veterans .....   | \$ 600.00 |
| B. Hope Hospital .....  | 5,000.00  |
| C. Wallace Thomson Hospital (payable monthly) .....   | 25,000.00 |
| D. Salvation Army .....   | 900.00    |
| E. Boy Scouts .....   | 300.00    |
| F. Girl Scouts .....  | 300.00    |
| G. Boys' City, Laurens, S. C. ....  | 100.00    |
| H. Union County Tuberculosis Clinic .....   | 900.00    |
| I. American Legion:   |           |
| 1. Buffalo Post .....   | 100.00    |
| 2. Jonesville Post .....  | 100.00    |
| 3. Lockhart Post .....  | 100.00    |
| 4. Union Post .....   | 100.00    |
| J. Veterans of Foreign Wars .....   | 100.00    |
| J. (2) Disabled American Veterans .....   | 100.00    |
| K. National Guards:   |           |
| 1. Co. A 218th Infantry (Union) .....   | 800.00    |
| 2. Troop A, 53rd Cavalry Div. (Lockhart) .....  | 900.00    |
| 3. Hdq. Co., 1st Battalion (Union) .....  | 800.00    |
| 4. Heavy Motor Company, 218th Infantry (Jonesville) .....   | 900.00    |
| Where companies are combined, the combined units shall share pro rata in the combined funds.  |           |
| L. Jonesville Chapter, Future Farmers of America .....  | 200.00    |
| M. Union Community Hospital (payable monthly) .....   | 1,500.00  |
| <i>Provided</i> , however, that any hospital established through grant or by foundation shall file with the Clerk of Court of Union County and each member of the Union County Legislative Delegation a copy of their audit for the current fiscal year in order to receive funds appropriated in this act. |           |
| N. Union County Soil Conservation Committee ..  | 300.00    |
| <i>Provided</i> , payment of this item shall be made on Delegation order.   |           |
| O. Salary, Service Men Emergency Leave Requests, Union County Chapter, American Red Cross ..  | 420.00    |
| <i>Provided</i> , payment of this item shall be made on Delegation order.   |           |
| P. Civil Air Patrol .....   | 750.00    |

## Q. Fire Departments:

|                                   |        |
|-----------------------------------|--------|
| 1. Buffalo Fire Department .....  | 200.00 |
| 2. Monarch Fire Department .....  | 200.00 |
| 3. Lockhart Fire Department ..... | 200.00 |

|                      |              |
|----------------------|--------------|
| Total, Item 11 ..... | \$ 40,870.00 |
|----------------------|--------------|

## Item 12. Supplements for State and Federal Agencies:

## A. County Service Officers:

|   |             |
|---|-------------|
| 1. Service Officer's Salary .....               | \$ 1,500.00 |
| 2. Salary of Assistant to Service Officer ..... | 1,037.90    |
| 3. Travel for Service Officer .....             | 400.00      |

## B. Health Department:

|   |          |
|---|----------|
| 1. General Services .....   | 8,935.00 |
| <i>Provided, however, that at least two Public Health Nurses shall be employed at all times.</i>  |          |
| 2. For Rabies Control, to be used by the County Health Department as it deems most effective for controlling rabies in Union County ..... | 700.00   |

## C. Home Demonstration Agent's Office (White):

|  |          |
|--|----------|
| 1. Stenographer's salary .....                             | 1,178.77 |
| 2. Demonstration supplies, stamps and telephone, etc. .... | 150.00   |
| 3. Agent's salary .....                                    | 272.85   |

## D. Home Demonstration Agent's Office (Negro):

|   |        |
|---|--------|
| 1. Agent's salary and travel .....                                    | 834.60 |
| 2. Rent (Home Demonstration Agent and Agricultural Agent—joint) ..... | 288.00 |
| 3. 4-H Club Work for Colored Girls .....                              | 100.00 |
| 4. Fuel .....   | 40.00  |
| 5. Stenographer's salary .....  | 411.95 |
| 6. Demonstration Material .....                                       | 50.00  |

## E. Agricultural Agent's Office (White):

|                                  |        |
|----------------------------------|--------|
| 1. Agent's salary .....          | 759.70 |
| 2. Stenographer's salary .....   | 481.50 |
| 3. Rent—to be paid monthly ..... | 228.00 |
| 4. 4-H Club (White) .....        | 150.00 |
| 5. Stamps, Incidentals .....     | 25.00  |

## F. Agricultural Agent's Office (Negro):

|  |       |
|--|-------|
| 1. Telephone—joint with Home Demonstration Agent (Negro) ..... | 99.00 |
|--|-------|

|  |              |
|--|--------------|
| 2. 4-H Club Work (Negro) .....   | 100.00       |
| 3. Stenographer's salary .....   | 1,107.45     |
| 4. Equipment and demonstration supplies .....  | 50.00        |
| G. Circulating Library:  |              |
| 1. Salary—Head Librarian .....   | 2,081.15     |
| 2. Salary—Librarian Assistant .....  | 1,872.50     |
| 3. Rent, to be paid monthly .....  | 72.00        |
| 4. Purchase of Books .....   | 500.00       |
| H. Agricultural Conservation Association:  |              |
| 1. Rent, to be paid monthly .....  | 480.00       |
| I. Farm Home Administration:   |              |
| 1. Rent, to be paid monthly .....  | 240.00       |
| J. Soil Conservation Service:  |              |
| 1. Rent, to be paid monthly .....  | 240.00       |
| K. County Department of Public Welfare:  |              |
| 1. Salaries:   |              |
| (a) Director .....   | 759.70       |
| (b) Visitors, 4 @ \$690.15 each .....  | 2,760.60     |
| (c) Stenographers, 2 @ \$690.15 each .....   | 1,380.30     |
| (d) Board Members, 3 @ \$759.70 each .....   | 2,279.10     |
| 2. Rent and Miscellaneous Office Expenses .....  | 1,000.00     |
| <i>Provided, that one-fourth of this item shall be remitted by the County Treasurer quarterly to the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.</i> |              |
| 3. Foster Home Fund .....  | 500.00       |
| 4. Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation .....  | 2,500.00     |
| 5. Office Expense .....  | 1,200.00     |
| L. County Forest Rangers:  |              |
| 1. Ranger .....  | 829.25       |
| 2. Two Wardens @ \$759.70 each .....   | 1,519.40     |
| 3. Towerman at Kelly Tower .....   | 411.95       |
| Union County Mental Health Association .....   | 5,000.00     |
| Total, Item 12 .....   | \$ 44,525.67 |

## Item 13. County Game Warden:

A. Salary .....\$ 2,632.20

B. Expenses ..... 600.00

*Provided*, the County Game Warden shall keep the County Legislative Delegation informed of the status of fish and game resources in Union County.

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Total, Item 13 .....\$ 3,232.20

## Item 14. To effectuate the registration of voters for the fiscal year 1963-1964 and to be spent in the same manner as ordinary county funds .....

\$ 3,000.00

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Total, Item 14 .....\$ 3,000.00

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GRAND TOTAL .....\$450,558.35

**SECTION 2.** The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth ( $\frac{1}{4}$ ) or twenty-five per cent (25%) of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1963-1964, commencing July 1, 1963, and on the first day of each successive month thereafter, the last day of each third month being reckoned as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth ( $\frac{1}{4}$ ) or twenty-five per cent (25%) of the total annual appropriation of any item during any three (3) consecutive months' quarter of the current fiscal year, 1963-1964, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriations act of the fiscal year 1963-1964, by unanimous delegation order in writing.

**SECTION 3.** For the fiscal year beginning with July 1, 1963, and ending with June 30, 1964, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein or prior hereto; *provided*, that the millage so levied shall be approved in writing by the entire Union County Legislative Delegation.

**SECTION 4.** The salary of no employee of Union County shall be increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

**SECTION 5.** The County of Union shall assume the balance of the outstanding road bonds issued by the Bogansville Township.

**SECTION 6.** The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hospital and Union County Schools. *Provided*, however, that the persons or firm so appointed shall be certified public accountants; and *provided*, further, that the schools and the hospitals shall bear the cost of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

**SECTION 7.** In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation.

**SECTION 8.** The supervisor and governing board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *provided*, that such advertisement shall be published twice during such ten-day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided

for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

**SECTION 9.** The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision over the courthouse janitor. The Union County Legislative Delegation may by unanimous agreement assign office space in the Union County Courthouse.

**SECTION 10.** All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided*, however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters as a part of their compensation; and the sheriff, as constable for the magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

**SECTION 11.** The Supervisor of Union County shall appoint a superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect a county mechanic, and eight (8) chain gang guards. The commissioner from each of the respective townships shall recommend with the approval of the captain of the chain gang the election of one (1) of said chain gang guards, and in the event any commissioner or commissioners shall fail or refuse to recommend the election of a chain gang guard or chain gang guards, as hereinbefore provided, within a period of four (4) weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a chain gang guard or chain gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and empowered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads may name two (2) convict camp guards from the county at large with approval

of the legislative delegation. One of the convict camp guards so appointed shall serve as day yardman at the chain gang camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads. The Union County Legislative Delegation shall by unanimous delegation order appoint a county attorney and a county bookkeeper.

**SECTION 12.** The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the governing body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon, and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation, rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all

other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the captain of the Union County Chain Gang.

**SECTION 13.** The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges, the county chain gang and the county home; subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided*, however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and the captain of the chain gang is hereby empowered to dismiss any such employee or employees, except the superintendent of surface-treated roads. Such suspended or dismissed employee shall have the right to appeal to the County Governing Board and the County Supervisor, who shall jointly hold such hearings as may be deemed necessary to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the County Supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

**SECTION 14.** The County Governing Board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directions of

the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, arising from any cause where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initiative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event the supervisor may suspend or dismiss the captain of the chain gang. *Provided*, further, that any county officer or employee who shall be suspended, removed or discharged as herein provided shall not be paid for any period during such time of suspension and, in case of removal or discharge, shall not receive pay from and after the date thereof.

The powers and authority enumerated and set forth in this section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this appropriations act concerning the superintendent of surface-treated roads.

**SECTION 15.** The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

**SECTION 16.** All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon

a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office.

*Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

**SECTION 17.** The Union County Bookkeeper shall maintain a record of all absences and vacations taken by county employees. All county employees shall have an annual noncumulative sick leave of thirty days per year. Employees shall be paid for these thirty days' sick leave, provided sickness is properly substantiated by a doctor's certificate.

**SECTION 18.** It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of 12 o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the license revoked, upon conviction of violating the provisions of this section.

**SECTION 19.** Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or outdoors may exhibit in Union County without payment of any license fee or charge. *Provided*, that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided*, further, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

**SECTION 20.** No license shall be issued for the practice of fortune telling or palm reading in Union County.

**SECTION 21.** The members of the press shall be allowed to attend any meetings where the expenditures of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

**SECTION 22.** The salaries and/or supplements to salaries specified in this appropriations act shall be paid every two weeks.

**SECTION 23.** All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

**SECTION 24.** This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

**SECTION 25.** If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held unconstitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

**SECTION 26.** The supplemental appropriations for the fiscal year 1962-1963 made from the General Fund of Union County by Delegation Order are hereby validated.

**SECTION 27.** This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

**An Act To Validate The Sale Of Certain Property In Williamsburg County And To Provide For The Disposition Of The Proceeds Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Sale of Williamsburg County property validated.**

—The sale of the following piece of property by Williamsburg County to the School District of Williamsburg County is hereby validated and declared to be legal in all respects :

All that certain piece, parcel or tract of land lying, being and situate in King Township, County of Williamsburg, State of South Carolina, containing sixty-three (63) acres, more or less, and bounded and described as follows; to-wit: On the North and Northeast by the Sandy Bay Public Road; on the Southeast by lands of Virginia W. Snowden; and on the Northwest by lands formerly of W. V. Strong, now of Kellahan, the main Run of Broad Swamp being the dividing line; said tract of land being designated as a portion of Tract No. 1 of the subdivision of lands of the Estate of Rev. W. H. Hodges, and indicated on a map of the Estate lands of Rev. W. H. Hodges "J. K. Hodges;" said map having been made by W. J. Green, Surveyor, on the 30th day of September 1948, and recorded in the Office of the Clerk of Court for Williamsburg County in Plat Book "4" at page 77; said tract of land above described and hereby conveyed being that portion of said Tract No. 1 as lies West of the said Sandy Bay Public Road; and being the same tract of land conveyed to The County of Williamsburg by J. Kennedy Hodges, by deed dated the 29th day of December 1957, recorded in the Office of the Clerk of Court for Williamsburg County in Deed Book "A-60" at page 230.

**SECTION 2. Use of proceeds.**—The proceeds derived from the sale of such property shall be transferred to the Williamsburg County Hospital Board to be used for the purchase of real property.

**SECTION 3. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

**An Act To Authorize The Board Of Commissioners Of Williamsburg County To Convey Certain County Property.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Williamsburg County may convey property.**—The Board of Commissioners of Williamsburg County is hereby authorized to convey, upon receipt of valuable consideration, unto Hemingway Furniture Company the county's interest and title in and to the following described real property:

That certain lot situate in Hemingway, South Carolina, measuring fifty feet on its northern and southern boundaries and seventy feet on its eastern and western boundaries and bounded on the west, north and east by property of Hemingway Furniture Company and on the south by property of Williamsburg County Health Center.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 6th day of February, 1963.

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(R154, H1346)

**No. 671**

**An Act To Authorize The County Board Of Commissioners Of Williamsburg County To Issue Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of Williamsburg County To Provide Funds To Provide Public Hospital Facilities For Williamsburg County; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which The Proceeds May Be Expended, And To Make Provision For The Payment Of The Principal And Interest Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 1255 of the 1962 Acts the Williamsburg County Memorial Hospital Board (the Hospital Board) was created and therein authorized to acquire a site and to construct and equip thereon, and thereafter maintain and operate, a public hospital in order to provide hospital facilities for inhabitants of Williamsburg County.

The Hospital Board has conducted surveys and has actively and diligently prosecuted plans to implement the establishment of suitable hospital facilities for Williamsburg County. Arrangements have been made for a suitable site whereon to construct the hospital facilities

and applications have been made to appropriate Federal agencies for financial assistance under the provisions of the Hill-Burton Act. A local campaign has resulted in substantial donations and pledges and it has now been ascertained that a suitable hospital can be constructed and equipped if Williamsburg County shall make available to the Hospital Board a sum now ascertained to be in the neighborhood of four hundred seventy-five thousand dollars. After fully investigating the existing circumstances, the General Assembly has determined to authorize the County Board of Commissioners of Williamsburg County, as constituted by the provisions of Title 14, Chapter 61 of the 1962 Code, (the County Board) to issue general obligation bonds of Williamsburg County to the extent of five hundred thousand dollars, or such portion thereof as shall, on the occasion of the issuance of the bonds, be required for the aforesaid purpose and be within the constitutional limitation applicable to the bonded debt of Williamsburg County, in order to provide the additional moneys required by the Hospital Board for the purpose of constructing and equipping a public hospital for Williamsburg County authorized by Act 1255 of 1962.

The General Assembly takes further note of the fact that by reason of the requirements of the Federal Agency dispensing the Federal grant that Williamsburg County was required to exercise authorizations set forth in Act No. 1256 of 1962 and borrow moneys. Such borrowings were in anticipation of the issuance of bonds pursuant to this act and should be retired with the proceeds of the bonds authorized by this act.

**SECTION 2. Williamsburg County may issue bonds for hospital facilities.**—In order to provide funds, to the extent of not exceeding five hundred thousand dollars, or such lesser amount as shall be permitted by the applicable constitutional limitation controlling the bonded debt of Williamsburg County and shall be found by the County Board to be required to insure the construction and equipping of suitable public hospital facilities for Williamsburg County, the County Board is hereby authorized, upon the request of the Hospital Board, expressed through appropriate resolution of the Hospital Board, to issue not exceeding five hundred thousand dollars of general obligation bonds of Williamsburg County. The bonds shall not be issued until the Hospital Board shall determine by resolution duly adopted that there will be available for the construction and equipping of the authorized hospital project sufficient additional moneys derived from Federal grants or public donations, which, with the proceeds of

the bonds, will be sufficient to pay all costs involved in acquiring a site and thereon constructing and equipping the contemplated hospital project and to retire bond anticipatory borrowings made pursuant to Act No. 1256 of 1962. Upon the presentation to the County Board of a certified copy of a resolution of the Hospital Board setting forth the required findings, the County Board shall be empowered as hereinafter provided, to issue bonds of Williamsburg County within the limitations of this act and to the extent that the County Board shall determine is required. The findings by the Hospital Board shall be conclusive evidence upon which action, looking to the issuance of bonds pursuant to this act, may be taken by the County Board, and the actual receipt of funds by the Hospital Board from other sources shall not be a condition precedent to the issuance of bonds by the County Board.

**SECTION 3. Denominations and maturity.**—All bonds issued pursuant to this act shall be in such denominations and shall mature in such annual series or instalments as the County Board shall provide for, except that the first maturing bonds shall mature not later than five years from the date as of which they shall be issued, and no bond shall mature later than twenty-five years from the date as of which it shall be issued.

**SECTION 4. Redemption.**—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity, at par and accrued interest, plus such redemption premium as may be prescribed by the County Board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

**SECTION 5. Form.**—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Williamsburg County, upon such conditions as the County Board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have the attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 6. Where payable.**—The bonds issued pursuant to this act shall be made payable at such place, within or without the State, as the County Board shall prescribe.

**SECTION 7. Interest.**—Bonds issued pursuant to this act shall bear interest at rates determined by the County Board.

**SECTION 8. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the County Board, shall, by resolution provide.

**SECTION 9. Sale.**—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold at public sale after advertisement of the sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 10. Payment.**—For the payment of the principal and interest of the bonds issued pursuant to this act, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Williamsburg County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Williamsburg County, and collected by the Treasurer of Williamsburg County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the county, sufficient to pay the principal of and interest on the bonds as they respectively mature, and to create a sinking fund as may be necessary therefor.

**SECTION 11. Exempt from taxes.**—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Sections 65-4.1 and 65-1522 of the 1962 Code.

**SECTION 12. Proceeds.**—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of Williamsburg County, to be deposited in a bond account fund for the County Board, and shall be expended and made use of as follows:

(a) All accrued interest shall be applied to the payment of the first instalment of interest to become due on the bonds.

(b) Any premium received upon the sale of the bonds shall be applied to the payment of the first instalment of principal of the bonds.

(c) The remaining proceeds shall be used, upon the warrant or order of the Hospital Board, to defray the costs of issuing the bonds authorized hereby to pay and retire the principal and interest on borrowings made pursuant to Act No. 1256 of 1962, and to pay costs to be incurred in the acquiring of a site and constructing and equipping thereon suitable public hospital facilities for Williamsburg County.

(d) If any balance remains, it shall be held by the Treasurer of Williamsburg County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 13. Powers to be additional.**—The powers and authorizations hereby conferred upon the County Board and the Hospital Board shall be in addition to all other powers and authorizations previously vested in them, and may be exercised by action taken at regular or special meetings. The compliance with the provisions of this act shall constitute all action necessary to effect the valid issuance and delivery of the bonds authorized hereunder.

**SECTION 14. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

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(R294, H1575)

**No. 672**

**An Act To Authorize The County Board Of Commissioners Of Williamsburg County To Convey Certain County Property.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Williamsburg County may convey certain property.**—The County Board of Commissioners of Williamsburg County is authorized to convey to Jack McFaddin, Roy Smiley, Mallory DuBose, Robert Smiley and Gilbert Sauls, Trustees for Cades Community, the following described real property:

All that certain piece, parcel or lot of land lying, being, and situate in the County of Williamsburg, State of South Carolina, in the Town of Cades, containing one (1) acre, more or less, and bounded as follows to-wit: On the North by lands of the Estate of W. I. Hodges; on the East by lands of Dessie F. McFadden; on the South by lands of the Estate of E. S. Sauls; and on the West by a public street of said Town of Cades. The same being the lot of land and the building thereon formerly used as the public school for white children in the Cades School District, and being the same lot and building converted into a Health Center. This is the same property conveyed to the County of Williamsburg by deed recorded October 5, 1951 in the office of the Clerk

of Court for Williamsburg County in Deed Book A-48 at page 379.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

(R507, H1707)

**No. 673**

**An Act To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, And To Provide And Direct The Expenditure Thereof; And To Validate Certain Disbursements, Expenditures And Actions.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** There is hereby levied upon all of the taxable property of Williamsburg County a sufficient number of mills to be determined by the auditor from assessment of the property therein which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county and school purposes for Williamsburg County for the fiscal year 1963-1964, there is appropriated the following :

|   |              |
|---|--------------|
| Item 1. Supervisor's Salary .....   | \$ 5,500.00  |
| Supervisor's Travel .....   | 1,600.00     |
| Clerk to Supervisor .....   | 3,400.00     |
| County Commissioners' Salary, five @ \$1,050.00 each .....                                      | 5,250.00     |
| County Commissioners' Travel, five @ \$600.00 each .....  | 3,000.00     |
| Extra Clerical Help .....   | 500.00       |
| <hr/>   |              |
| Total, Item 1 .....   | \$ 19,250.00 |
| Item 2. Roads and Bridges .....   | \$180,000.00 |
| <i>Provided, no item of equipment costing in excess of \$5,000.00 shall be purchased by the</i> |              |

County Commission without the approval of a majority of the Legislative Delegation.

|         |   |              |
|---------|---|--------------|
|         | Total, Item 2 .....   | \$180,000.00 |
| Item 3. | Clerk of Court .....  | \$ 5,500.00  |
|         | Two (2) Deputy Clerks .....   | 6,800.00     |
|         | Janitor Courthouse .....  | 1,600.00     |
|         | Extra Clerical Help .....   | 300.00       |
|         | Total, Item 3 .....   | \$ 14,200.00 |
| Item 4. | Sheriff's Salary .....  | \$ 5,500.00  |
|         | Sheriff's Travel .....  | 1,600.00     |
|         | Law Enforcement .....   | 300.00       |
|         | Four (4) Deputy Sheriff's Salary .....  | 15,200.00    |
|         | Four (4) Deputy Sheriff's Travel .....  | 6,400.00     |
|         | Clerk—Sheriff's Office .....  | 3,400.00     |
|         | Jail Expense (dieting prisoners at \$0.35 per meal on verified statements) .....  | 4,000.00     |
|         | Liability Insurance—Sheriff's Cars .....  | 482.00       |
|         | Radios—Sheriff's Department .....   | 750.00       |
|         | Total, Item 4 .....   | \$ 37,632.00 |
| Item 5. | Auditor .....   | \$ 2,002.20  |
|         | <i>Provided</i> , that the total salary paid the county auditor shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00.   |              |
|         | Clerk to Auditor .....  | 3,400.00     |
|         | Accounting Machine .....  | 6,000.00     |
|         | Total, Item 5 .....   | 11,402.20    |
| Item 6. | Treasurer .....   | \$ 2,002.20  |
|         | <i>Provided</i> , that the total salary paid the county treasurer shall be \$5,500.00 and the county's portion shall be increased or decreased, as the State's portion is increased or decreased, so as to provide a total of \$5,500.00. |              |
|         | Clerk to Treasurer .....  | 3,400.00     |
|         | Total, Item 6 .....   | \$ 5,402.20  |

|          |  |              |
|----------|--|--------------|
| Item 7.  | Probate Judge .....  | \$ 5,000.00  |
|          | Part time clerk .....  | 1,250.00     |
|          | Lunacy Commitments, Doctors' Exams and<br>Travel .....   | 2,400.00     |
|          | Total, Item 7 .....  | \$ 8,650.00  |
| Item 8.  | Clerk to Tax Collector .....   | \$ 3,400.00  |
|          | Total, Item 8 .....  | \$ 3,400.00  |
| Item 9.  | Magistrate at Kingstree .....  | \$ 2,700.00  |
|          | Magistrate at Hemingway .....  | 1,500.00     |
|          | Magistrate at Greeleyville .....   | 1,200.00     |
|          | Magistrate at Cades .....  | 750.00       |
|          | Magistrate at Central .....  | 750.00       |
|          | Magistrate at Morrisville .....  | 750.00       |
|          | Magistrate at Lanes .....  | 750.00       |
|          | Magistrate at Earles .....   | 750.00       |
|          | Magistrate at Hebron .....   | 750.00       |
|          | Magistrate at Pergamos .....   | 750.00       |
|          | Magistrate at Nesmith .....  | 750.00       |
|          | Magistrate's Constable at Kingstree .....  | 2,200.00     |
|          | Magistrate's Constable at Hemingway .....  | 1,100.00     |
|          | Magistrate's Constable at Greeleyville .....   | 800.00       |
|          | Magistrate's Constables—8 other Cades, Morris-<br>ville, Lanes, Earles, Hebron, Pergamos, Nes-<br>mith and Central ..... | 3,200.00     |
|          | Total, Item 9 .....  | \$ 18,700.00 |
| Item 10. | County Attorney .....  | \$ 600.00    |
|          | Total, Item 10 .....   | \$ 600.00    |
| Item 11. | Coroner's Salary .....   | 1,000.00     |
|          | Coroner's Travel .....   | 450.00       |
|          | Coroner's Clerk .....  | 500.00       |
|          | Post Mortems, Inquests and Clerical help .....   | 1,000.00     |
|          | Total, Item 11 .....   | \$ 2,950.00  |

|  |              |
|--|--------------|
| Item 12. Miscellaneous Contingent Fund .....   | \$ 25,000.00 |
| <i>Provided</i> , the above amount shall be expended<br>upon approval of a majority of members of the<br>legislative delegation. |              |
| Total, Item 12 .....   | 25,000.00    |
| Item 13. Workmen's Compensation .....  | \$ 3,000.00  |
| Police Officers' Retirement System .....   | 2,500.00     |
| County Portion—Social Security .....   | 6,000.00     |
| County Portion—Retirement .....  | 5,500.00     |
| County Portion—Hospitalization Insurance .....   | 3,000.00     |
| Total, Item 13 .....   | \$ 20,000.00 |
| Item 14. Bonds—County Officials .....  | \$ 800.00    |
| Total, Item 14 .....   | \$ 800.00    |
| Item 15. Jurors and Witnesses .....  | \$ 6,000.00  |
| Total, Item 15 .....   | \$ 6,000.00  |
| Item 16. Public Buildings .....  | \$ 20,000.00 |
| Total, Item 16 .....   | \$ 20,000.00 |
| Item 17. Printing, Books, Postage, etc. ....   | \$ 7,000.00  |
| Total, Item 17 .....   | \$ 7,000.00  |
| Item 18. Vital Statistics .....  | \$ 800.00    |
| Total, Item 18 .....   | \$ 800.00    |
| Item 19. Department of Public Welfare Janitor Service ..   | \$ 400.00    |
| Miscellaneous—Administrative .....   | 100.00       |
| Miscellaneous—Contingent Expense .....   | 2,400.00     |
| Emergency Fund .....   | 300.00       |
| Total, Item 19 .....   | \$ 3,200.00  |
| Item 20. Part-time clerk for Service Officer .....   | \$ 1,200.00  |
| Total, Item 20 .....   | \$ 1,200.00  |

## Item 21. Reassessment Program .....\$ 25,000.00

*Provided*, that from this sum the Board of Tax Appeals, Board of Tax Assessors and Board of Equalization shall be paid per diem as provided by law.

*Provided*, further, all expenditures from this fund, excluding per diem, shall be made upon the approval of a majority of the legislative delegation.

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Total, Item 21 .....\$ 25,000.00

## Item 22. County Health Unit .....\$ 8,650.00

Charity Hospitalization ..... 8,000.00

*Provided*, that the sum appropriated for the hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Williamsburg County, and shall be expended on per diem basis to be fixed by the board, not to exceed \$8.00 per day per patient; such basis shall include the cost of room, board, medicine and anesthetics, etc., and there shall not be expended on any one case a greater sum than one hundred dollars.

*Provided*, further, that the board may in extreme cases approve further expenditures but the county shall not be liable for additional sums unless authorization by the board is first secured. The appropriation made shall be for the fiscal year 1963-1964.

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Total, Item 22 .....\$ 16,650.00

## Item 23. County Agent .....\$ 600.00

Assistant County Agent ..... 400.00

Stenographic Service for County Agent ..... 676.00

Boys' 4-H Club Work ..... 150.00

Assistant County Agents Supplement ..... 240.00

Telephone—County Agent ..... 100.00

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Total, Item 23 .....\$ 2,166.00

|  |              |
|--|--------------|
| Item 24. County Home Demonstration Agent .....   | \$ 240.00    |
| Stenographic Service—Home Demonstation Agent .....   | 280.00       |
| Office Supplies and Equipment .....  | 150.00       |
| Girls' and Women's 4-H Club Work .....   | 200.00       |
| Total, Item 24 .....   | \$ 870.00    |
| Item 25. Negro Home Demonstration Agent Salary and Travel .....  | \$ 900.00    |
| Negro Girls' 4-H Club Work .....   | 150.00       |
| Office Rent—Negro Agent .....  | 480.00       |
| Negro Agri. Agent—Salary .....   | 350.00       |
| Negro Boys' 4-H Club Work .....  | 150.00       |
| Office Supplies, Fuel and Lights .....   | 150.00       |
| Clerical Assistance .....  | 450.00       |
| Materials—Home Demonstration Agent .....   | 100.00       |
| Total, Item 25 .....   | \$ 2,730.00  |
| Item 26. Kingstree National Guard .....  | \$ 750.00    |
| Hemingway National Guard .....   | 750.00       |
| Junior Homemakers .....  | 100.00       |
| Carnegie Library .....   | 800.00       |
| Civil Defense .....  | 2,400.00     |
| Lane Airport .....   | 1,500.00     |
| Total, Item 26 .....   | \$ 6,300.00  |
| Item 27. Industrial Development—to be expended on order of a majority of the county legislative delegation ..... | \$ 10,000.00 |
| Total, Item 27 .....   | \$ 10,000.00 |
| GRAND TOTAL .....  | \$449,902.40 |
| LESS ESTIMATED REVENUE AS FOLLOWS:   |              |
| Estimated Revenues .....   | 279,000.00   |
| Total, Estimated Revenues .....  | 279,000.00   |
| AMOUNT TO BE RAISED BY TAXATION .....  | 170,902.40   |

**SECTION 2.** The supervisor and county commissioners are hereby prohibited from issuing any pay checks to any of the magistrates of Williamsburg County until such magistrates have filed with him statements of the names of persons for whom such warrants have been issued during the previous quarter and the disposition of each case, and a receipt from the county treasurer for fines and costs collected by the magistrates during the previous quarter.

**SECTION 3.** The county attorney shall give legal advice to all county officers, including the Grand Jury, on any subject affecting the county and, should he fail to give such advice, the amount appropriated for his services shall not be paid to him by the county treasurer.

**SECTION 4.** All revenues accruing to the county not otherwise appropriated shall be deposited or invested by the treasurer as a sinking fund for the payment of principal and interest of the county bonded indebtedness and such investments or deposits shall be guaranteed by bond of indemnity or other adequate security to be passed on by the board of county commissioners.

**SECTION 5.** The appropriations made in this act shall be for the specific purposes designated herein, and for no other except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No overdrafts shall be made or created in any of the items set forth in this act, and in the event any such overdrafts are created the County of Williamsburg shall not be responsible for such overdrafts and the same shall be void insofar as the county is concerned.

**SECTION 6.** The salaries paid to the county officers as hereinabove fixed shall be in lieu of all fees, commissions, etc.

**SECTION 7.** All county officers, before making purchases of books or stationery and all other supplies, shall so notify the county board of commissioners in writing and receive the commissioners' approval. Copies of such requests and their approval shall be kept on file in the respective offices. All supplies of every kind, nature and description whatsoever shall be made only upon competitive bids except purchases at one time which shall cost not more than one hundred dollars. *Provided*, that the county board of commissioners shall not approve payment of any voucher for the purchase of any article of any kind by any agency or department unless such

purchase has first been authorized by authority of the county board of commissioners.

**SECTION 8.** The road machinery, plows, equipment, etc., to be purchased by the County of Williamsburg, from funds herein appropriated, shall be bought upon competitive sealed bids after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which also shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in such advertisement.

**SECTION 9.** The disbursements, expenditures and actions authorized by the Williamsburg County Legislative Delegation during the fiscal year 1962-1963, in connection with the operation of the county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

**SECTION 10.** No officials of the county shall obligate the county for the repayment of any loan without the approval of the legislative delegation.

**SECTION 11.** This act shall take effect upon approval by the Governor.

Approved the 7th day of June, 1963.

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(R602, H1876)

**No. 674**

**An Act To Make Supplemental Appropriations For The Fiscal Year 1962-1963 From The General Fund Of Williamsburg County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations for the fiscal year 1962-1963 are made from the general fund of Williamsburg County :

|   |              |
|---|--------------|
| Roads and Bridges .....                 | \$ 45,000.00 |
| Public Buildings .....                  | 4,500.00     |
| Books, Stationery & Printing .....      | 1,200.00     |
| Lunacies, Post Mortems & Inquests ..... | 400.00       |

|                                 |              |
|---------------------------------|--------------|
| Medical—Prisoners .....         | 1,600.00     |
| Workmens Compensation .....     | 220.00       |
| Jurors and Witnesses .....      | 1,500.00     |
| Social Security .....           | 550.00       |
| County Portion—Retirement ..... | 230.00       |
| <hr/>                           |              |
| Total .....                     | \$ 55,200.00 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

(R21, H1079)

**No. 675**

**An Act To Amend Act No. 544 Of The Acts Of 1959 As Amended, Authorizing The Continuance Of The Special One Mill Levy In York County So As To Authorize The Governing Body Of York County To Borrow Certain Money And Provide That The Levy Shall Be Used To Retire Such Loan.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Section 1 of Act 544 of 1959 amended—York County may borrow money—continue special levy for payment.**—Section 1 of Act No. 544 of the Acts of 1959 as amended, is further amended to read as follows:

“Section 1. The York County Sinking Fund Commission is hereby authorized to make a loan in the amount of fifty two thousand dollars to the governing body of York County for the purpose of paying for three road motor graders, and to defray the cost of re-roofing and repairing the York County Prison Camp. The loan of the York County Sinking Fund Commission, authorized by Act No. 1262 of the Acts of 1962, having been paid in full, the Auditor and Treasurer of York County are hereby authorized to continue the special levy heretofore used to retire that indebtedness and to apply the proceeds to the retirement of the loan authorized by this act. The levy shall continue in force until the loan is paid in full.”

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1963.

(R135, H1373)

**No. 676****An Act To Authorize The Town Of York To Convey To York County And To The York Township Library Commission Portions Of The Property Known As The War Memorial Property.**

Whereas, the Town of York on January 1, 1947, acquired title to certain property located on Congress Street, through a deed of conveyance recorded in Deed Book 132, Page 82, Office of the Clerk of Court for York County, South Carolina, for the purpose of using the property as a War Memorial, pursuant to the provisions of Act No. 415 of 1945; and

Whereas, the portion of the property herein authorized to be sold is no longer used for this purpose; and York County has offered to purchase the property hereinafter referred to, for the purpose of erecting thereon a Public Health Center; and, in addition, the Town of York desires to convey a portion of the property to the York Township Library Commission; and

Whereas, the Town of York will retain a portion of the original lot of land for continued use as a swimming pool and recreational area; and

Whereas, York County will pay the town fifteen thousand dollars for the portion of the premises it wishes to purchase, and from this sum, the town will refund to the York Township Library Commission the sum of eight thousand five hundred dollars, which the commission invested in the property; and

Whereas, the Town Council of the Town of York has declared that it is deemed to be to the best interest of the town that the portions of the property be sold and conveyed as aforesaid. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Town of York may convey property to York County.**—The Town of York is hereby authorized and empowered to convey to York County, by a fee simple general warranty deed, all that certain piece, parcel or lot of land shown and described as Lot No. 2 on a plat designated "Map of Property of Town of York," dated December 17, 1957, and revised September 28, 1962, by W. C. White, R. L. S., which plat is recorded in the Office of the Clerk of Court for York County, South Carolina, in Plat Book 23, Page 252, upon the payment to the town the sum of fifteen thousand dollars by York County, of which sum the town shall pay

to York Township Library Commission the sum of eight thousand five hundred dollars, and the Town of York shall be authorized and empowered at the same time to convey to York Township Library Commission, by fee simple general warranty deed, the lot described on the aforesaid plat as Lot No. 1.

**SECTION 2. Easement may be granted.**—The Town of York is further authorized and empowered to include in the deeds to York County and York Township Library Commission hereinabove referred to a provision granting an easement of ingress and egress in the twenty-five-foot area of land lying to the south of Lot No. 2, to be used jointly as a means of ingress and egress to the premises owned by the respective owners.

**SECTION 3. Execution of deeds.**—The Mayor and the Town Clerk of the Town of York are hereby authorized and empowered to make, execute and deliver the aforesaid deeds to York County and to York Township Library Commission.

**SECTION 4. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 20th day of March, 1963.

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(R148, H1374)

**No. 677**

**An Act Making Supplemental Appropriations For York County For The Fiscal Year 1962-1963.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1962-1963 :

|   |              |
|---|--------------|
| Maintenance, Courthouse, Agriculture      |              |
| Building and Office Building .....        | \$ 10,000.00 |
| Dieting Magistrates' Prisoners .....      | 1,000.00     |
| Dieting Prisoners in Jail .....           | 1,000.00     |
| Maintenance and Supplies—Jail .....       | 700.00       |
| Jurors and Witnesses .....                | 3,084.99     |
| Probate Judge, Supplies .....             | 150.00       |
| County Postage and Metering machine ..... | 1,100.00     |

|   |              |
|---|--------------|
| For care of indigent York County residents<br>who are residing in nursing homes ..... | 4,000.00     |
| Contingent Fund .....   | 2,000.00     |
| Supervisor's office, grading, maintenance,<br>etc. ....                               | 30,000.00    |
| Social Security and Retirement .....  | 700.00       |
| Total .....   | \$ 53,734.99 |

**SECTION 2.** This act shall take effect upon approval by the Governor.

Approved the 22nd day of March, 1963.

(R187, H1407)

**No. 678**

**An Act To Authorize The County Board Of Directors Of York County To Issue And Sell Not Exceeding Five Hundred Thousand Dollars Of General Obligation Bonds Of York County To Provide Funds For The Construction Of A Technical Training School; To Prescribe The Conditions Under Which The Bonds Shall Be Issued; And To Make Provision For The Payment Of The Bonds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Findings of General Assembly.**—The General Assembly finds that by Act No. 967 of 1962, now in the process of amendment by legislation enacted in pari materia, there has been created and is in existence the York County Commission for Technical Training. The Commission has been created in order that York County may cooperate with the program instituted by Article 7, Chapter 15, Title 21, Code of Laws of South Carolina, 1962.

The General Assembly further finds that there is an immediate need that such program be instituted promptly for York County. Under the provisions of the State program it is required that co-operating counties furnish the physical facilities necessary to implement the program, and thereafter supervise and maintain them. An appropriate site for the location of a building to be utilized for such purposes has been secured. The General Assembly has therefore determined to empower the County Board of Directors of York

County, as constituted by Article 1, Chapter 62, Title 14, Code of Laws of South Carolina, 1962, to issue general obligation bonds of York County, to the extent herein provided, in order to provide the funds required for the construction and equipping of suitable facilities. In so determining, the General Assembly has found that the basic purpose of the program is to educate, in technical and vocational fields, those to whom the program will become available, and that the purpose of the expenditure is educational and is, therefore, one which counties are authorized to undertake pursuant to Section 6, of Article X of the Constitution of South Carolina.

**SECTION 2. York County may issue bonds for technical training school.**—In order to provide funds to be expended by the Commission for the acquisition of a suitable site and the construction and equipping thereon of appropriate facilities, the County Board is hereby authorized and empowered to issue and sell general obligation bonds of York County in an aggregate principal amount not exceeding five hundred thousand dollars.

**SECTION 3. Issue.**—The bonds authorized by this act may be issued as a single issue, or from time to time as several separate issues.

**SECTION 4. Denominations.**—The bonds shall be in such denominations and shall mature in such annual series or instalments as the county board shall provide for, except that the last maturing bonds shall mature not later than twenty years from the date as of which the bonds shall be issued.

**SECTION 5. Redemption.**—The bonds may be issued with a provision for their redemption prior to their stated maturities at par and accrued interest, plus such redemption premium as may be prescribed by the county board, but no bond shall be redeemable before maturity unless it contains a statement to that effect. If bonds are made subject to redemption, provision shall be made in the proceedings authorizing the issuance of the bonds, specifying the manner of call and the notice thereof that must be given.

**SECTION 6. Form.**—The bonds shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of York County, upon such conditions as the county board may prescribe. Except when so registered, all bonds issued pursuant to this act shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

**SECTION 7. Where payable.**—The bonds shall be made payable at such place or places, within or without the State, as the county board shall provide.

**SECTION 8. Interest.**—The bonds shall bear interest at rates determined by the county board.

**SECTION 9. Execution.**—The bonds, and the coupons to be thereunto attached, shall be executed in such manner as the county board shall by resolution provide.

**SECTION 10. Sale.**—The bonds shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. The published notice shall appear not less than ten days prior to the occasion set for opening bids.

**SECTION 11. Payment.**—For the payment of the principal and interest of the bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of York County shall be irrevocably pledged, and there shall be levied annually by the Auditor of York County, and collected by the Treasurer of York County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property in York County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

**SECTION 12. Exempt from taxes.**—The principal and interest of the bonds shall have the tax exempt status prescribed by Section 65-4.1, Code of Laws of South Carolina, 1962.

**SECTION 13. Proceeds.**—The proceeds derived from the sale of the bonds shall be paid to the Treasurer of York County, and shall be deposited in a bond account fund, and shall be expended and made use of as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be expended, on the warrant of the Commission, to defray the cost of issuing the bonds authorized hereby, and to pay the costs incurred in the construction and equipping of facilities of the sort described in Section 1 of this act.

(d) If any balance remain, it shall be held by the Treasurer of York County in a special fund and used to effect the retirement of bonds authorized hereby.

**SECTION 14. Powers to be additional.**—The powers and authorizations hereby conferred upon the county board shall be in addition to all other powers and authorizations previously vested therein.

**SECTION 15. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 4th day of April, 1963.

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(R242, H1506)

**No. 679**

**An Act To Provide An Appropriation By The Sinking Fund Commission Of York County For A County Health Center In The Town Of York.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. Appropriation for Health Center in Town of York.**—For the purpose of erecting a County Health Center in the Town of York, there is hereby appropriated from the funds in the hands of the Sinking Fund Commission of York County the sum of forty-eight thousand dollars or so much thereof as may be necessary.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 18th day of April, 1963.

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(R281, H1603)

**No. 680**

**An Act To Authorize The Treasurer Of York County To Transfer Certain County Funds.**

Be it enacted by the General Assembly of the State of South Carolina:

**SECTION 1. York County may transfer funds.**—The Treasurer of York County is hereby authorized to transfer from the general fund of the county to the account of the York County Juvenile and Domestic Relations Court the sum of six thousand dollars to be used

for the payment of salaries and expenses of the court during the remainder of the current fiscal year.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 1st day of May, 1963.

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(R546, S464)

**No. 681**

**An Act To Change The Name Of The York County Hospital For The County Of York To York General Hospital At Rock Hill.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. York County Hospital name changed to York General Hospital at Rock Hill.**—The name of the York County Hospital for the County of York, originally established by Act No. 919 of 1938, is hereby changed to York General Hospital at Rock Hill.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R580, H1728)

**No. 682**

**An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1963, And Ending June 30, 1964, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1.** For the fiscal year beginning July 1, 1963, the following sums of money, if so much be necessary, are hereby appro-

priated from the General Fund in the Treasury of York County to meet the ordinary expenses of the County as hereinafter indicated:

Item 1. Supervisor and County Board of Directors:

Salaries:

|  |             |
|--|-------------|
| Supervisor .....   | \$ 6,000.00 |
| Clerk .....  | 3,770.00    |
| Assistant Clerk .....                                    | 3,570.00    |
| Five directors, one hundred dollars each per month ..... | 6,000.00    |
| Service and supplies .....                               | 1,400.00    |

---

Total, Item 1 .....\$ 20,740.00

Item 2. County Prison Farms:

Salaries:

|   |             |
|---|-------------|
| Superintendent .....                        | \$ 4,170.00 |
| Six guards at \$222.50 per month each ..... | 16,020.00   |

*Provided*, that board and lodging shall be furnished in addition to salaries above.

|                                   |           |
|-----------------------------------|-----------|
| Maintenance of Prison Camp .....  | 40,000.00 |
| Maintenance of County Roads ..... | 83,000.00 |

*Provided*, that not more than one-half of the above two appropriations shall be obligated or spent prior to January 1, 1964.

|  |           |
|--|-----------|
| Nine patrol operators at \$282.50 per month each   | 30,510.00 |
| Supervisor—travel for actual mileage driven on county business at 9¢ per mile, if so much be necessary ..... | 1,400.00  |

*Provided*, all county equipment shall be kept at the prison camp at night, on Sundays and holidays, and at all other times when not in actual use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.

*Provided*, further, that it shall be unlawful for any person not an inmate or any person not employed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this pro-

vision shall be deemed a misdemeanor and punishable by a fine not exceeding one hundred dollars, or imprisonment for not exceeding thirty days.

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Total, Item 2 .....\$175,100.00

Item 3. Sheriff's Office:

Salaries:

|   |             |
|---|-------------|
| Sheriff .....   | \$ 6,000.00 |
| Deputy Sheriff .....  | 4,350.00    |
| Clerk .....   | 3,120.00    |
| Expense, outside county .....   | 1,000.00    |
| Gas, oil, upkeep auto and radio .....                                   | 1,500.00    |
| Office supplies, phone, box rent .....                                  | 600.00      |
| Telephone expense for highway patrolmen stationed in York County .....  | 400.00      |
| Salaries, expenses and equipment for York County police operation ..... | 116,880.00  |
| Radio and jail services—Town of Clover....                              | 1,500.00    |
| Radio and jail services—Town of Ft. Mill....                            | 1,500.00    |

*Provided*, the Sheriff of York County is authorized and empowered to appoint and employ sixteen county policemen to serve under his direction and supervision, and each of the county policemen shall be paid a monthly salary as follows: new employee, first six months, \$275.00; new employee, after six months, \$300.00; new employee after one year, \$325.00. In addition thereto the sheriff shall appoint and employ a captain of the York County Police, who shall be second in command of the county police, and who shall be paid a monthly salary of \$420.00. The captain shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason. *Provided*, further, the Sheriff of York County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him. *Provided*, further, that the sheriff shall be

allowed to give credit for experience in other law enforcement in computing time in grade.

*Provided*, further, that the sheriff may pay to each deputy sheriff the sum of \$25.00 per month as expenses.

*Provided*, further, the Sheriff of York County shall employ an additional officer to serve primarily as liaison officer between the Sheriff's office and the Criminal, Juvenile and Domestic Relations Court of York County; *provided*, further, the Sheriff of York County may designate and appoint two officers of his present staff as Sergeants with additional compensation of each at \$10.00 per month to serve as plain-clothes men with his office.

|                     |              |
|---------------------|--------------|
| Total, Item 3 ..... | \$136,850.00 |
|---------------------|--------------|

Item 4. County Jail:

|   |             |
|---|-------------|
| Salary, Jailor .....                          | \$ 3,120.00 |
| Dieting prisoners at one dollar per day ..... | 6,000.00    |
| Maintenance and supplies .....                | 2,500.00    |
| Repairs .....                                 | 700.00      |

|                     |              |
|---------------------|--------------|
| Total, Item 4 ..... | \$ 12,320.00 |
|---------------------|--------------|

Item 5. Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building .....

\$ 30,000.00  
*Provided*, no janitor or janitor's assistant shall be paid more than forty dollars per week.

*Provided*, further, that prison labor shall be used where feasible during the daylight hours, except Sundays.

*Provided*, further, there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Courthouse, at salaries not exceeding \$3,120.00 each, and one helper for each building.

*Provided*, further, that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.

|                     |              |
|---------------------|--------------|
| Total, Item 5 ..... | \$ 30,000.00 |
|---------------------|--------------|

## Item 6. Clerk of Court's Office:

## Salaries:

|  |             |
|--|-------------|
| Clerk of Court .....                                 | \$ 6,800.00 |
| First Deputy Clerk .....                             | 3,770.00    |
| Second Deputy Clerk and photo machine operator ..... | 3,720.00    |
| Clerk .....  | 3,120.00    |
| Clerk .....  | 3,120.00    |
| Clerk .....  | 3,120.00    |
| Clerk .....  | 3,120.00    |
| Service and Supplies .....                           | 16,000.00   |
| Jurors, witnesses and bailiffs, and court crier ..   | 23,000.00   |

*Provided*, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

*Provided*, further, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem. *Provided*, further, the clerk of court shall not receive any additional pay for services as Clerk of the Criminal, Juvenile and Domestic Relations Court of York County.

---

Total, Item 6 .....\$ 65,770.00

## Item 7. Auditor's Office:

## Salaries:

|                             |             |
|-----------------------------|-------------|
| Auditor .....               | \$ 2,600.00 |
| First Deputy Auditor .....  | 3,570.00    |
| Clerk .....                 | 3,120.00    |
| Services and Supplies ..... | 1,200.00    |
| Equalization Board .....    | 2,000.00    |

## Mapping Section:

## Salaries:

|                            |          |
|----------------------------|----------|
| Mapping Director .....     | 4,200.00 |
| Clerk .....                | 3,120.00 |
| Supplies and Mileage ..... | 1,000.00 |

*Provided*, the clerk employed in the Mapping Section shall work between the office of the Auditor and the office of the Mapping Director at the direction of the Auditor.

|  |    |              |
|--|----|--------------|
| Total, Item 7 .....  |    | \$ 20,810.00 |
| Item 8. Treasurer's Office:  |    |              |
| Salaries:  |    |              |
| Treasurer .....  | \$ | 2,600.00     |
| Deputy Treasurer .....   |    | 3,570.00     |
| Assistant Deputy Treasurer .....   |    | 3,570.00     |
| Clerk .....  |    | 3,120.00     |
| Revolving Fund .....   |    | 50.00        |
| Services and Supplies .....  |    | 1,350.00     |
| <i>Provided</i> , that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county. |    |              |
| Total, Item 8 .....  |    | \$ 14,260.00 |
| Item 9. Judge of Probate's Office:   |    |              |
| Salaries:  |    |              |
| Judge of Probate .....   | \$ | 6,000.00     |
| Clerk .....  |    | 3,770.00     |
| Clerk .....  |    | 3,570.00     |
| Office supplies, premium on bond, stamps, box rent and telephone .....   |    | 2,000.00     |
| Total, Item 9 .....  |    | \$ 15,340.00 |
| Item 10. Tax Collector's Office:   |    |              |
| Salaries:  |    |              |
| Tax Collector .....  | \$ | 3,000.00     |
| Deputy Tax Collector .....   |    | 3,000.00     |
| Clerk .....  |    | 3,360.00     |
| Bond for Tax Collector, Deputy and Clerk .....   |    | 270.00       |
| Stationery, services, supplies, box rent and postage .....   |    | 600.00       |
| Total, Item 10 .....   |    | \$ 10,230.00 |
| Item 11. County Veterans' Service Office:  |    |              |
| Service Officer .....  | \$ | 4,320.00     |
| Clerk .....  |    | 3,120.00     |

|          |  |              |
|----------|--|--------------|
|          | Clerk .....  | 3,120.00     |
|          | Expenses, Service Officer .....  | 2,750.00     |
|          | Total, Item 11 .....   | \$ 13,310.00 |
| Item 12. | Coroner's Office:  |              |
|          | Salary, Coroner .....  | \$ 1,500.00  |
|          | Expenses of inquests, office supplies and services .....   | 600.00       |
|          | Total, Item 12 .....   | \$ 2,100.00  |
| Item 13. | Department of Public Welfare:  |              |
|          | Emergency relief—including care of homeless children .....   | \$ 4,600.00  |
|          | Telephones .....   | 800.00       |
|          | Assistant Clerk for purpose of investigating applicants for free school lunch .....  | 1,000.00     |
|          | Supplement to County Board Members and Director .....  | 1,680.00     |
|          | Mileage at nine cents per mile for two child welfare workers .....   | 700.00       |
|          | Supplement for Case Work Supervisor .....  | 348.00       |
|          | Supplement for sixteen Case Workers at \$150-.00 per year .....  | 2,400.00     |
|          | Total, Item 13 .....   | \$ 11,528.00 |
| Item 14. | Hospitalization:   |              |
|          | For charity patients, Divine Savior Hospital..   | \$ 4,000.00  |
|          | <i>Provided</i> , that all of this fund shall be used for charity cases in York County and that an itemized statement of the cost of each case shall be sent quarterly to the Board of County Directors. |              |
|          | Post mortems, inquests, lunacies and dental work .....   | 1,000.00     |
|          | County physician or physicians to be employed by the Supervisor and County Directors .....   | 1,000.00     |
|          | Total, Item 14 .....   | \$ 6,000.00  |
| Item 15. | National Guard:  |              |
|          | Rock Hill Companies (2) .....  | \$ 800.00    |
|          | York Company .....   | 400.00       |
|          | Fort Mill Company .....  | 400.00       |

|   |              |
|---|--------------|
| Clover Company .....  | 400.00       |
| Headquarters Company, Rock Hill .....   | 200.00       |
| <hr/>   |              |
| Total, Item 15 .....  | \$ 2,200.00  |
| Item 16. Magistrates and Constables:  |              |
| Magistrate, Bethel-Kings Mountain Townships .....   | \$ 2,100.00  |
| Telephone, Magistrate, Bethel-Kings Mountain Townships .....  | 125.00       |
| Magistrate, Bullock Creek-Broad River Townships .....   | 1,300.00     |
| Office rent, Bullock Creek-Broad River Townships .....  | 120.00       |
| Telephone, Magistrate, Bullock Creek-Broad River Townships .....  | 80.00        |
| Magistrate, York-Bethesda Townships .....   | 2,100.00     |
| Telephone, Magistrate, York-Bethesda Townships .....  | 125.00       |
| Office rent, York-Bethesda Townships .....  | 180.00       |
| Magistrate, Catawba-Ebenezer Townships .....  | 3,000.00     |
| Constable, Catawba-Ebenezer Townships .....   | 2,870.00     |
| Clerk, Catawba-Ebenezer Townships .....   | 3,120.00     |
| Telephone, office expenses, Magistrate, Catawba-Ebenezer Townships .....  | 1,100.00     |
| Magistrate, Fort Mill Township .....  | 2,100.00     |
| Constable, Fort Mill Township .....   | 1,320.00     |
| Telephone, Magistrate, Fort Mill Township ..  | 125.00       |
| Maintenance and janitor service, Magistrate's office—Fort Mill .....  | 300.00       |
| Maintenance and janitor service, Magistrate's office—Clover .....   | 300.00       |
| <i>Provided</i> , salaries above shall be paid in twelve equal monthly installments.  |              |
| <i>Provided</i> , further, that the magistrates' reports required by law shall be made under oath.                              |              |
| Dieting prisoners in custody of magistrates other than in county jail, not to exceed fifty cents per meal for each person ..... | 1,000.00     |
| Bond for magistrates and constables .....   | 125.00       |
| <hr/>   |              |
| Total, Item 16 .....  | \$ 21,490.00 |

## Item 17. Farm and Youth Work:

|   |           |
|---|-----------|
| Demonstration material for Home Demonstration Agent and assistant ..... | \$ 100.00 |
| Boys' and Girls' 4-H Work .....   | 200.00    |
| York County Artificial Breeding Association..                           | 3,000.00  |
| County Farm Agent .....   | 330.00    |
| Telephone, Home Agent .....   | 150.00    |
| Negro Home Demonstration Agent .....                                    | 790.00    |
| Clerical help, Negro Farm and Home Agent.                               | 1,900.00  |
| Demonstration material, Negro Home Demonstration Agent .....            | 50.00     |
| Negro 4-H Work .....  | 100.00    |
| Telephone .....   | 100.00    |

*Provided*, that the sum appropriated for York County Artificial Breeding Association shall not be further supplemented by county funds.

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Total, Item 17 .....

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## Item 18. General County Expenses:

|  |             |
|--|-------------|
| Annual county audit .....  | \$ 3,000.00 |
| County Attorney .....  | 3,000.00    |
| County Attorney, expense .....                                   | 200.00      |
| Secretary to Delegation at \$40.00 per month..                   | 480.00      |
| Insurance for county employees at \$4.80 per year .....          | 480.00      |
| Postage and metering machine and photostat machine .....         | 3,000.00    |
| Rescue Squad—Clover .....  | 150.00      |
| Rescue Squad—Fort Mill .....                                     | 150.00      |
| Rescue Squad—Rock Hill .....                                     | 150.00      |
| Rescue Squad—York .....  | 150.00      |
| York County Civil Defense .....                                  | 7,000.00    |
| Solicitor, Criminal, Juvenile and Domestic Relations Court ..... | 3,000.00    |
| Mental Health Clinic .....                                       | 8,000.00    |

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Total, Item 18 .....

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## Item 19. For care of indigent York County residents who are residing in nursing homes .....

\$ 6,000.00

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Total, Item 19 .....

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|          |   |              |
|----------|---|--------------|
| Item 20. | Retirement Fund and Social Security for county employees .....  | \$ 20,000.00 |
|          | York County Teacher Retirement Fund .....   | 1,141.56     |
|          | Total, Item 20 .....  | \$ 21,141.56 |
| Item 21. | Board of Health .....   | \$ 23,561.00 |
|          | Total, Item 21 .....  | \$ 23,561.00 |
| Item 22. | Probation Officer:  |              |
|          | Secretarial help .....  | \$ 1,800.00  |
|          | Secretarial help, Rock Hill office .....  | 180.00       |
|          | Telephone .....   | 150.00       |
|          | Office Supplies .....   | 50.00        |
|          | Total, Item 22 .....  | \$ 2,180.00  |
| Item 23. | Criminal, Juvenile and Domestic Relations Court of York County:   |              |
|          | Salaries:   |              |
|          | Judge .....   | \$ 8,500.00  |
|          | Chief Probation Counselor .....   | 4,800.00     |
|          | Probation Counselor, male .....   | 4,500.00     |
|          | Probation Counselor, female .....   | 4,000.00     |
|          | Secretary and Court Recorder .....  | 3,500.00     |
|          | Clerk .....   | 3,120.00     |
|          | Mileage, supplies and expenses .....  | 4,380.00     |
|          | <i>Provided</i> , the Judge of this court may authorize use of a part of any specific salary to pay a part time worker when the position is not filled with a full time employee.                           |              |
|          | Total, Item 23 .....  | \$ 32,800.00 |
| Item 24. | Contingent Fund .....   | \$ 25,000.00 |
|          | <i>Provided</i> , the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regularly called meeting.                                |              |
|          | <i>Provided</i> , further, that the authorization shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, |              |

and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.

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|                      |              |
|----------------------|--------------|
| Total, Item 24 ..... | \$ 25,000.00 |
|----------------------|--------------|

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|                   |              |
|-------------------|--------------|
| GRAND TOTAL ..... | \$704,210.56 |
|-------------------|--------------|

*Provided*, the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year beginning July 1, 1963.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes. It is estimated that the following special revenue will accrue to the county during the fiscal year 1963-1964:

|                                 |              |
|---------------------------------|--------------|
| Insurance Commission Fees ..... | \$ 62,000.00 |
| Fines, Fees and Licenses .....  | 158,000.00   |
| Beer and Wine Tax .....         | 18,000.00    |
| Whiskey Tax .....               | 66,000.00    |
| Bank Tax .....                  | 9,000.00     |
| Service Officer .....           | 6,099.00     |
| Income Tax .....                | 87,000.00    |
| Delinquent Taxes .....          | 74,111.56    |
| Total .....                     | \$480,210.56 |

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|   |              |
|---|--------------|
| Estimated amount to be otherwise provided ... | \$224,000.00 |
|---|--------------|

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of eight mills upon the property of York County, and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made. *Provided*, the levy for school textbooks in York County for the fiscal year 1963-64 shall be two mills.

**SECTION 2.** The purchase of gasoline, oil and food for the use of the prison farm shall be made in wholesale quantities.

**SECTION 3.** In the Township of York, a special levy of one-half mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy, and the Treasurer of York County is directed to collect, such tax.

**SECTION 4.** The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditure of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertaining in advance whether or not the appropriations for that purpose are sufficient to pay the same; *provided*, that no revenue to be derived from any levy or appropriation made herein shall be expended or pledged prior to the beginning of the fiscal year 1963-1964. Any official violating the provisions of this section shall be liable under his bond.

**SECTION 5.** No money appropriated for any specific purpose under the provisions of this act shall be used for any other purpose than that named, without the written consent of a majority of the York County Legislative Delegation, obtained at a regularly called meeting.

**SECTION 6.** Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

**SECTION 7.** In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches, the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

*Provided*, however, that enrollment in parochial schools or State-owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

*Provided*, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

*Provided*, further, that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

|   |              |
|---|--------------|
| Salary, Clerk .....   | \$ 400.00    |
| Salary, Librarian for School Books .....  | 3,400.00     |
| Travel for Attendance Supervisor—actual mileage driven on county business @ 9¢ per mile, if so much be necessary .....                            | 700.00       |
| Telephone, postals, box rent and office supplies .....  | 600.00       |
| Handling school lunch commodities—to be hauled on contract basis .....  | 5,000.00     |
| Expenses—County Board of Education .....  | 720.00       |
| York County Rural Library .....   | 4,768.00     |
| Supplement—Administrative Secretary—County Board of Education .....   | 433.00       |
| Supplement to State Funds—School Lunch Program .....  | 2,240.00     |
| Travel—Administrative Secretary, County Board of Education, actual mileage driven on county business @ 9¢ per mile, if so much be necessary ..... | 400.00       |
| Repairs to Rural Library Bookmobile .....   | 250.00       |
| Total .....   | \$ 18,911.00 |

The appropriations above made shall be in lieu of all shares in delinquent taxes collected.

**SECTION 8.** The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable at such time and in such sums as is convenient to the county board of directors and the sinking fund commission, and the sinking fund commission is

hereby directed to make such loans. *Provided*, that the supervisor and the county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

**SECTION 9.** All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

**SECTION 10.** All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby ratified and confirmed, and the appropriations therein contained are approved.

**SECTION 11.** The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

**SECTION 12.** No tax abatement shall apply to levies necessary to pay debt service of county bonds.

**SECTION 13.** Any employee or officeholder violating any provision in this appropriation act shall forfeit his or her position of employment or the office they hold.

**SECTION 14.** The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided*, all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

**SECTION 15.** An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

**SECTION 16.** The county auditor shall cause to be prepared a statement showing for what the proceeds of all taxes levied in York County are to be used. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out by the treasurer's office.

**SECTION 17.** The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer.

**SECTION 18.** No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

**SECTION 19.** This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.

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(R595, H1902)

**No. 683**

**An Act To Make An Appropriation For The Criminal, Juvenile and Domestic Relations Court Of York County.**

Be it enacted by the General Assembly of the State of South Carolina :

**SECTION 1. Appropriation for York County Juvenile and Domestic Relations Court.**—There is hereby appropriated, from the General Fund of York County, the sum of one thousand dollars which shall be used to pay salaries and expenses of the Criminal, Juvenile and Domestic Relations Court of York County.

**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 14th day of June, 1963.



## **RULES AND REGULATIONS**

### **Adopted Under General And Permanent Laws Of The State Of South Carolina**

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF  
AUGUST 31, 1963

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Published Pursuant to Section 1-16, Code of Laws of  
South Carolina, 1962

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## **RULES AND REGULATIONS**

### **SUPREME COURT RULES**

(Filed in the office of the Code Commissioner August 3, 1962)

#### **Rule 6**

IT IS ORDERED that Rule 6 of the Rules of the Supreme Court of South Carolina be amended so as to read as follows:

"Section 1. Typewritten Records in Extraordinary Cases. If a party shall file with the Clerk an affidavit that he is unable to pay for printing the Transcript of Record or Briefs, he shall be permitted to use typewritten copies.

"Typewriting will be permitted only when double spaced upon a good grade of bond paper 8 1/2 by 13 inches in size; carbon copies of the same grade may be used, provided they are clearly legible.

"Papers in typewriting must have a blank margin of an inch and a half on the left. If more than two pages be used they shall be fastened at the top so as to read continuously.

"In every case where printing is dispensed with, the attorney for the party must file an affidavit that he believes his client to be unable to pay for printing.

"It shall be the duty of the Clerk of the Court to see that this rule is complied with before filing any of said papers.

"Section 2. Such party may in lieu of said typewritten copies of the Transcript of Record and Briefs herein authorized, serve and file mimeographed or machine duplicated copies, thereof; provided, however, that such mimeographed or machine duplicated copies must be made upon white paper of not less than 20 pounds weight and conform in size and be bound together just as the Rule provides for printed Transcript of Record and Briefs, or on high grade plain white bond paper 8 1/2 by 13 inches in size, with the lines of writing double spaced on only one side of the paper. All copies must be clean, neat and clearly legible.

"In such cases in the taxation of costs in the Supreme Court, a party using such mimeographed or machine duplicated copies shall be allowed to tax only the actual cost of the mimeographing or machine duplicating of the required number of copies of the Transcript of Record and Briefs."

#### **Rule 29**

IT IS ORDERED that Rule 29 of the Rules of the Supreme Court of South Carolina be amended so as to read as follows:

"All appeals in Civil cases which do not involve a constitutional question and in which the amount involved is \$500.00 or less, and all appeals in civil cases in which there has not been a final judgment, shall be submitted, without oral argument upon the printed Transcript of Record and briefs of counsel. The brief of counsel for the appellant shall be filed and

served within twenty days from the date of docketing; the respondent's brief within twenty days after appellant's brief shall have been served upon him and the reply of appellant, if any, within five days thereafter. Upon the failure of the appellant to file and serve his brief within the time prescribed, the respondent may give the appellant's attorney notice requiring the same within five days thereafter; and upon failure to so comply, the Clerk of this Court shall sign an order dismissing the appeal."

#### Rule 31

IT IS ORDERED that Rule 32 of the Rules of the Supreme Court of South Carolina be amended so as to read as follows:

#### "Rule 31

"In the event any attorney-at-law, duly admitted to practice in the Courts of this State, shall submit his resignation as such attorney, the same will be referred by the Court to the Board of Commissioners on Grievances and Discipline for an investigation of the conduct as a member of the Bar of the said attorney and for a recommendation of the said Board as to the propriety of the acceptance of the said resignation. The Court will take such action upon the same and the resignation submitted as it shall deem proper."

(Filed in the office of the Code Commissioner July 29, 1963)

A pamphlet of the Rules of the Supreme Court, revised as of October 15, 1963, is filed in the office of the Code Commissioner. Those interested should refer to this copy or to the Clerk of the Supreme Court.

### AGRICULTURE COMMISSION

#### Noxious Weeds

Promulgated under authority of Section 3-402 of the 1962 Code

#### REGULATION NO. 2

(Filed in the office of the Secretary of State September 4, 1962)

Regulation No. 2 relating to noxious weeds is hereby amended.

In addition to those already listed, the following plants and seeds are hereby declared noxious and prohibited.

|   |            |
|---|------------|
| Water Hyacinth—Eichhornia Crassipes .....                 | Prohibited |
| Alligator Weed, Fig Weed—Alternanthera Philoxeroides..... | Prohibited |
| Water Chesnut, Water Nut—Trapa Natans .....               | Prohibited |
| Cocklebur—Xanthium Spp. ....                              | Prohibited |

(Filed in the office of the Secretary of State September 10, 1962)

Regulation No. 2 relating to noxious weeds is hereby amended by striking out:

"Sandbur—Conchrus Pauciflorus, 27 per lb." and inserting in lieu thereof, "Sandbur—Conchrus Pauciflorus, Prohibited".

(Filed in the office of the Secretary of State December 13, 1962)

Regulation No. 2. Noxious Weeds: "Noxious weeds shall be seeds or bulbs of the following:"

**Amend by adding to list of noxious weeds the following:**

"Cocklebur—*Xanthium* Spp. .... Prohibited

(Filed in the office of the Secretary of State February 7, 1963)

Regulation No. 2, relating to noxious weeds is hereby amended by striking out:

Sandbur—*Conchrus Pauciflorus* .... Prohibited

Cocklebur—*Xanthium* Spp. .... Prohibited

To permit for the period January 1, 1963 through December 1, 1963:

**Single Limitations**

Sandbur—*Conchrus Pauciflorus* ..... 1 per pound

Cocklebur—*Xanthium* Spp. .... 1 per pound

Effective January 1, 1964:

Sandbur—*Conchrus Pauciflorus* .... Prohibited

Cocklebur—*Xanthium* Spp. .... Prohibited

(Filed in the office of the Secretary of State June 27, 1963 (effective July 1, 1963))

Regulation No. 2, Noxious Weeds, is amended by striking it out and inserting in lieu thereof the following:

Noxious weeds shall be seeds or bulbs of the following:

| Common Name          | Scientific Name                                   | Single Limitations |
|----------------------|---|--------------------|
| Bermuda Grass—       | <i>Cynodon Dactylon</i> .....                     | 200 per lb.        |
| Bindweed Field—      | <i>Convolvulus Arvensis</i> .....                 | Prohibited         |
| Bindweed Hedge—      | <i>Convolvulus, Sepium</i> .....                  | Prohibited         |
| Blessed Thistle—     | <i>Onicus Benedictus</i> .....                    | 27 per lb.         |
| Blue Weed—           | <i>Helianthus Ciliaris</i> .....                  | 200 per lb.        |
| Bracted Plantain—    | <i>Plantago Aristata</i> .....                    | 200 per lb.        |
| Buckhorn Plantain—   | <i>Plantago Lanceolata</i> .....                  | 200 per lb.        |
| Canada Thistle—      | <i>Cirsium Arvense</i> .....                      | 100 per lb.        |
| Cheats or Chess—     | <i>Bromus, Secalinus, and/or Commutatus</i> ..... | 200 per lb.        |
| Cocklebur—           | <i>Xanthium</i> Spp. ....                         | 1 per lb.          |
| Corn Cockle—         | <i>Agrostemma Githago</i> .....                   | 200 per lb.        |
| Darnel—              | <i>Lolium Temulentum</i> .....                    | 200 per lb.        |
| Docks—               | <i>Rumex</i> Spp. ....                            | 100 per lb.        |
| Dodders—             | <i>Cuscuta</i> Spp. ....                          | 100 per lb.        |
| Horsenettle—         | <i>Solanum Carolinense</i> .....                  | 200 per lb.        |
| Johnson Grass—       | <i>Sorghum Halepense</i> .....                    | 50 per lb.         |
| Nightshade—          | <i>Solanum Elaeagnifolium</i> .....               | 200 per lb.        |
| Nut Grass—           | <i>Cyperus Rotundus</i> .....                     | Prohibited         |
| Perennial Sweet-Type | Sundangrass .....                                 | 50 per lb.         |
| Quack Grass—         | <i>Agropyron Repens</i> .....                     | 100 per lb.        |

| Common Name                  | Scientific Name              | Single Limitations |
|------------------------------|------------------------------|--------------------|
| Red Rice—                    | <i>Oryza Sativa</i> Var      | 200 per lb.        |
| Russian Knapweed—            | <i>Centaurea Picris</i>      | 100 per lb.        |
| Sandbur—                     | <i>Cenchrus Pauciflorus</i>  | 1 per lb.          |
| Sheep Sorrel—                | <i>Rumex Acetosella</i>      | 100 per lb.        |
| Sorghum                      | Almum                        | 50 per lb.         |
| Sorghum                      |                              | 50 per lb.         |
| Wild Mustard and/or Turnips— | <i>Brassica</i> Spp.         | 50 per lb.         |
| Wild Oats—                   | <i>Avena Fatua</i>           | 50 per lb.         |
| Wild Onions—                 | <i>Allium</i> Spp.           | 18 per lb.         |
| Wild Radish—                 | <i>Raphanus Raphanistrum</i> | 50 per lb.         |
| Witchweed—                   | <i>Striga Asiatica</i>       | Prohibited         |

The single limitation listed above is the maximum number allowable for that weed with not over 200 total noxious weed seeds singly or collectively in any combination.

The rate of occurrence of all noxious weeds present shall be listed on the tag or label in name and number per pound of seed.

#### REGULATION NO. 1

(Filed in the office of the Secretary of State December 13, 1962)

Regulation No. 1 filed August 31, 1962 reads:

1. Water Hyacinth—*Eichhornia Crassipes* ..... Prohibited
2. Alligator Weed, Pig Weed—*Alternanthera Philoxeroides*.... Prohibited
3. Water Chestnut, Water Nut—*Trapa Natans* ..... Prohibited
4. Cocklebur—*Xanthium* Spp. .... Prohibited

Amend Regulation No. 1 by striking out No. 4 (Cocklebur—*Xanthium* Spp., Prohibited).

#### Weights and Measures

Promulgated under authority of Section 66-163 of the 1962 Code

(Filed in the office of the Secretary of State April 11, 1963)

Regulations Nos. 6 and 7 are amended to read as follows:

#### Regulation No. 6

The legal and uniform standard of weight in this state for ungraded soybeans shall be sixty (60) pounds per bushel.

#### Regulation No. 7

Whenever any commodity or service is sold, or is offered, exposed or advertised for sale by weight, measure, or count, the price shall not be misrepresented, nor shall the price be represented in any manner calculated or tending to mislead or deceive an actual or prospective purchaser.

(Filed in the office of the Secretary of State May 14, 1963)

The following Rules and Regulations are hereby promulgated and designated as No. (8), No. 8(a), No. 8(b), and No. 8(c).

8. To properly enforce the provision of Section 66-154—Procedure as to incorrect weights, measures, etc.

Weighing and measuring equipment rejected from service under authority of Section 66-154 and upon which equipment a restraining order (Weights and Measures Form No. 5) has been issued, shall remain subject to the control of the Commissioner of Agriculture until the Restraining Order is returned to the Commissioner properly executed certifying that the equipment has been repaired and tested for correctness or discarded from service.

8(a). The Restraining Order (Weights and Measures Form No. 5) permits a competent repairer to break the Department of Agriculture's seal attached to rejected weighing and measuring equipment. The breaking of this seal is an indication that the person is a competent repairer and also equipped to test the repaired equipment for accuracy. The failure of such repaired equipment to meet Department's official retest will constitute a violation of this Rule and Regulation, and requires a corrected repair service, or the "Signature of the repairer" will not be recognized as valid on future Restraining Orders.

8(b). Where a competent repairman is employed to repair condemned weighing and measuring equipment, before such repairman is authorized to break the Department of Agriculture's seal, the repairman shall have on file, with the Department of Agriculture, the forms furnished by the Department for this purpose. Failure to have such a form on file with the Department shall preclude the repairman from breaking the Department's seal.

8(c). The owner or operator of the restrained weighing and/or measuring equipment is responsible for the return of the Restraining Order (Weights and Measures Form No. 5) to the Commissioner of Agriculture. The Restraining Order must be properly executed and indicate whether the equipment has been repaired and tested or discarded from service. The Commissioner of Agriculture or his authorized agent is empowered to specify a permissible time period for repairs of the weighing and measuring equipment restrained from service.

(Filed in the office of the Secretary of State May 14, 1963)

#### **Packages**

The following are added to rules and regulations entitled Packages, filed in the office of the Secretary of State December 7, 1961:

##### **Sample Lot:**

In order to carry out the provisions of Sections 66-301—66-311, S. C. 1962 Code of Laws and Rules and Regulations thereto, the Commissioner of Agriculture or his duly authorized agents shall employ recognized sampling procedures under which the compliance of a given lot of packages will be determined on the basis of the result obtained on a composite sample selected from and representative of such lot.

Stop sale, stop use, and stop-removal orders:

Packaged foods or products withheld from sale by inspector's order (Weights and Measures Form 2B) for violation of Sections 66-301—66-311, S. C. 1962 Code of Laws or Rules and Regulations thereto shall remain subject to the control of the Commissioner of Agriculture until the inspector's order (Weights and Measures Form 2B) has been executed and returned to the Commissioner of Agriculture or his duly authorized agent.

**Package Condemnation and Confiscation:**

Packages found in violation of weights and measures provisions and stamped by the Department's authorized agent with the **official condemnation stamp of the Weights and Measures Division** shall not be returned to sale in the original wrapper or container. Packages so stamped and found exposed or offered for sale are subject to confiscation.

Promulgated under authority of Section 3-641.1 of the 1962 Code  
(Filed in the office of the Secretary of State this 24th day of April, 1963)

**Commercial Feeding Stuffs Law**

The following regulations are hereby adopted:

Application for refunds provided for under Article 5, Section 3-641.1 must be submitted on form furnished by the Commissioner of Agriculture, and shall be supported by attached legible copies of the suppliers sales invoice. Each such invoice shall reflect the following:

1. Description of product invoiced.
2. Weight of product invoiced.
3. Inclusion of the inspection fee @ 25 cents per ton by separate listing.

Refund applications must be submitted within 6 months from date of purchase by South Carolina manufacturers.

**Eggs**

Promulgated under authority of Section 66-627 of the 1962 Code  
(Filed in the office of the Secretary of State May 1, 1963)

Delete Regulation 11(b) and substitute therefor:

11(b) Any retailer offering eggs for sale, **direct from South Carolina producers**, in open cases, boxes or baskets without designation, must mark such display of eggs as South Carolina Producers Eggs.

Add after Regulation 11(c) the following:

11(d) To establish origin: **South Carolina egg producers** shall furnish the wholesaler or retailer with a customary delivery invoice.

11(e) To establish origin: **Egg producers or transporters of eggs from out-of-state producers** delivering to producers, wholesalers or retailers in South Carolina shall identify their deliveries by an invoice and an end case label as prescribed in Regulation 16.

**Gasoline**  
**Registering of Gasoline**

Promulgated under authority of Section 66-415 of the 1962 Code

(Filed in the office of the Secretary of State October 5, 1962)

Regulation No. 1 filed in the office of the Secretary of State September 17, 1951, is amended to read as follows:

1. All gasoline sold, offered or exposed for sale or distribution in South Carolina must be registered by each identifying brand name on registration blanks furnished by the South Carolina Department of Agriculture.

2. Any visual publicity or news media which implies a gasoline meets the minimum qualities and octane rating of either "regular" or "premium" gasoline shall be considered as false advertising if the product so advertised is not registered as "regular" or "premium" gasoline or under test is not found to meet the requirements for "regular" or "premium" gasolines and is prohibited. (Attention is called to Section 66-3 Code of Laws 1962, which prohibits the making of intentional untrue statements in advertising on signs, etc., punishable as a misdemeanor.)

3. All manufacturers, jobbers and wholesalers registering gasoline for sale in South Carolina may register their own guarantee for the standards of each gasoline registered. Regular or premium, as the case may be, shall meet the required minimum and maximum standards as hereafter set forth; Provided, however, nothing contained herein shall prevent the registration of a gasoline with an octane count below 90, except that such gasoline, when so registered, may not be offered, exposed or sold as a regular gasoline.

4. All refiners, manufacturers, producers, and all others that are registered to distribute gasoline in South Carolina shall and are hereby required to give, furnish, and present to all jobbers, wholesalers, retailers, and others that either purchase, obtain, or acquire gasoline directly from such refiners, manufacturers, producers, and others that are registered to distribute gasoline in this State, a delivery invoice which shall and is hereby required to contain and include the identifying brand name of the gasoline which is delivered and its actual and true octane rating.

5. All jobbers, wholesalers and others who distribute gasoline to retail distributors shall and are hereby required to give, furnish and present to the retailer of gasoline, upon delivery of gasoline to such retailer, a delivery invoice in duplicate which shall and is hereby required to contain and include the identifying brand name of the gasoline and its actual and true octane rating. The retailer is hereby required to retain one of the copies of the delivery invoice which is furnished him in duplicate for a period of not less than 30 days and a copy of the invoice shall be available for inspection and disposition by the Department of Agriculture and/or its agents, servants and employees.

STANDARDS FOR GASOLINES TO BE SOLD IN  
SOUTH CAROLINA

1. All gasoline sold in South Carolina must be volatile hydrocarbon fuel, free from water and suspended matter and suitable for use as fuel in internal combustion engines.
2. Corrosion test must be maximum 1—A.S.T.M. Method D 130.
3. Sulfur must not exceed .25%—A.S.T.M. Method D 1266.
4. Vapor pressure at 100 degrees F. shall not exceed 13.5 pounds per square inch—A. S. T. M. Method D 323.
5. The gum content shall not exceed 5 milligrams per 100 milliliters—A.S.T.M. Method D 381.
6. Lead content—Maximum 4.23 gr. per gallon—A.S.T.M.
7. Distillation Range—A.S.T.M. Method D 86.
  - A. Initial boiling point not more than 50 degrees C. (122 degrees F.)
  - B. When thermometer reads 70 degrees C. (158 degrees F.) not less than 10% shall be evaporated.
  - C. When thermometer reads 140 degrees C. (284 degrees F.) not less than 50% shall be evaporated.
  - D. When thermometer reads 200 degrees C. (392 degrees F.) not less than 90% shall be evaporated.
  - E. When thermometer reads 218.5 degrees C. (425 degrees F.) not less than 97% shall be evaporated.
  - F. End Point 224 degrees C. (435 degrees F.)
  - G. The Residue shall not exceed 2% when the thermometer reaches 224 degrees C. (435 degrees F.)
8. Regular gasoline by whatever brand name called must have an octane number of not less than 90 by the Research Method (A.S.T.M. D 908).
9. Premium gasoline by whatever brand name called must have an octane number of not less than 96 by the Research Method (A.S.T.M. D 908 and D 1656).

## BOARD OF ARCHITECTURAL EXAMINERS

Promulgated under authority of Section 56-54 of the 1962 Code  
(Filed in the office of the Secretary of State May 1, 1963)

## Registration

The Rules of the State Board of Architectural Examiners are amended as follows:

7. **Registration:** "Registration for the practice of architecture in the State of South Carolina will be issued as follows:

CLASS A—To all applicants of the age, character, education and experience required by law, upon making a grade of seventy-five per cent, or more on each examination part in a full written or junior examination.

Applicants shall furnish a transcript record from architectural school attended.

Applicants taking the written examination shall be designated by a number or a letter and shall put this number on all examination papers and the letter or number, together with names of applicants shall be retained in a sealed envelope which shall not be opened until all examination papers have been graded.

If the candidate passes four or more of the seven individual written examinations on his first appearance, he may elect to retake only those subjects in which he failed. A candidate retaking all seven subjects on his second appearance, and passing four or more, may retain credit for those passed for one additional appearance only, provided that:

(a) Only two retake examinations are permitted in any individual subject.

(b) All retake examinations are passed within three years (but not to exceed six appearances) from date of original examination.

Otherwise the candidate must retake ALL subjects on EACH and EVERY subsequent appearance."

#### COUNTY COUNCIL OF CHARLESTON COUNTY

Promulgated under authority of Section 14-353(c) of the 1962 Code  
(Filed in the office of the Secretary of State February 26, 1963)

##### Subdivision of Land

The following amendment has been approved and recommended by the Charleston County Planning Board at their meeting on September 17, 1962:

**Amendment 1.** Section II, B, 7 of the Subdivision Regulations concerning the matter of fees with regard to certain types of subdivisions is amended by adding thereto the following to be known as sub-section "c":

(c) For subdivisions being created solely for the purpose of acquisition of land for public use by a governmental body: NO FEE.

#### CLEMSON COLLEGE

##### Technical Livestock Committee

Promulgated under authority of Section 6-345 of the 1962 Code  
(Filed in the office of the Secretary of State July 13, 1962)

In order to control the spread of infectious and contagious diseases among all species of livestock and in order to promote the sale of healthy livestock, the Technical Livestock Committee meeting in Columbia, S. C. the 11th day of July, 1962 adopted the following rules and regulations, which supersede all other rules and regulations previously adopted by the Technical Livestock Committee.

## SECTION I

**Livestock Auction Markets****Part 1—Definition of Terms to be Used in All Sections of These Rules and Regulations**

(A) **Livestock Auction Market Defined**—A Livestock Auction Market shall be deemed to be a market operated by a person or persons, firm or corporation, that shall on a regularly scheduled day or days of each week offer to the general public for the sale of livestock the facilities of livestock assembly and holding pens, the services of an auctioneer, and the services of a veterinarian as prescribed under Title 6, Chapter 4, Article 3, Section 6-344 of the 1962 Code of Laws of South Carolina and as further prescribed under Section I, Part 5 of these regulations. For the aforementioned services and facilities, the Livestock Auction Market operator shall receive from the owner of each animal sold a sum of money generally known as a commission fee.

(B) **Livestock Defined**—The term "livestock" for the purposes of these regulations shall refer to cattle, swine, sheep, goats, horses, mules and asses.

(C) **Approved Disinfectant**—The term "approved disinfectant" as hereinafter used in these regulations shall be deemed to be a disinfectant approved by the State Veterinarian.

(D) **Seller**—The term "seller" as hereinafter used in these regulations shall be the person, persons, firm or corporation who shall legally own the animals at the time they are presented for sale at the Livestock Auction Market, or any other public assembly for the sale of livestock, or it shall refer to that person who is acting as the duly authorized agent for the legal owner of said livestock.

(E) **Buyer**—The term "buyer" as hereinafter used in Section I of these regulations shall be the person, persons, firm or corporation who shall purchase any livestock offered for sale through the Livestock Auction Market, or it shall refer to that person who is acting as the duly authorized agent for the buyer of said livestock.

(F) **Livestock Auction Market Veterinarian**—The term "Livestock Auction Market Veterinarian" as hereinafter used in Section I of these regulations shall be any veterinarian authorized by the State Veterinarian to attend the Livestock Auction Market as official veterinarian under the provisions of Title 6, Chapter 4, Article 3, Section 6-344 of the 1962 Code of Laws of South Carolina.

(G) **Highest Dollar**—The term "highest dollar" as hereinafter used in Section I of these regulations shall refer to a request by the seller that his livestock be sold through the Livestock Auction Market for dairy or breeding purposes or for other purposes, whichever shall bring him the highest monetary return.

(H) **Official Brucellosis Blood Test**—The term "official brucellosis blood test" as hereinafter used in these regulations shall be an agglutination test for brucellosis run on a serum sample obtained from blood of livestock

and shall be that test conducted by the Official State Brucellosis Laboratory.

(I) **Preliminary Brucellosis Blood Test**—The term “preliminary brucellosis blood test” as hereinafter used in Section I of these regulations shall be an agglutination test for brucellosis run on a serum sample obtained from blood of livestock and shall be that test conducted by the Auction Market Veterinarian according to the recommendations of the State Veterinarian.

(J) **Swine and/or Hogs**—When the term “swine and/or hogs” is hereinafter used in these regulations it shall refer to any age, weight, sex, or breed of the porcine species unless otherwise indicated.

(K) **Serum**—When the term “serum” is hereinafter used in these regulations it shall refer to anti-hog cholera serum unless otherwise indicated.

(L) **Modified Live Vaccine**—When the term “modified live vaccine” is hereinafter used in these regulations it shall refer to modified hog cholera vaccine of porcine, rabbit, or tissue origin unless otherwise indicated.

(M) **Highest Bidder**—When the term “highest bidder” is hereinafter used in these regulations it shall refer to that person making the highest bid on livestock offered for sale at auction and for the purposes of these regulations, that person shall be considered the buyer of the livestock with all responsibilities attendant thereunto.

(N) **Sick Hogs**—When the term “sick hogs” is hereinafter used in these regulations it shall refer to swine that are infected with an infectious or contagious disease, or swine that are suspected of being infected with an infectious or contagious disease, or swine that have been exposed to an infectious or contagious disease or swine that are suspected of having been exposed to an infectious or contagious disease.

## **Part 2—Permits**

(A) **Permit**—Any person or persons, firm or corporation wishing to operate a Livestock Auction Market shall make written application for a permit to operate said market to the State Veterinarian, outlining the day or days of each week auction sales will be held, and the facilities available for handling the various species of livestock offered for sale. All applications for a permit to operate a market shall be accompanied by a copy of the plans and specifications in detail of said Livestock Auction Market and premises. Livestock Auction Markets operating under permits obtained prior to the writing of these regulations shall be exempt from the provisions of Part 2 of these regulations unless such existing permit should be revoked by the Technical Livestock Committee.

(B) **Inspection of Livestock Auction Markets by Technical Livestock Committee**—Upon inspection of the Livestock Auction Market by the Technical Livestock Committee, if it is found that suitable facilities are available and put in use as described under Part 3 of Section I of these regulations a permit for operation of said Livestock Auction Market shall be issued by the State Veterinarian.

(C) **Revocation of Permits**—All permits issued and previously issued by the Technical Livestock Committee shall be valid unless revoked by the Technical Livestock Committee for lack of cooperation in complying with the laws, rules and regulations.

(D) **Display of Permit**—The Livestock Auction Market Operator shall display the permit for operation in a suitable place for public inspection.

**Part 3—Facilities for Handling Livestock and for Cleaning and Disinfecting of Livestock Auction Markets.**

(A) **Facilities**—Proper facilities for handling livestock shall consist of suitable pens in sufficient numbers for holding each species of livestock apart and separate. Separate pens shall be provided for livestock which may be suspected of being infected with or exposed to a contagious disease or which may show a positive reaction to a test indicating they are infected with a contagious disease.

(B) **Restraint of Livestock for Examination**—A satisfactory chute, holding pens and other facilities necessary, shall be available to restrain livestock for the purpose of examining, testing, and immunizing against contagious or infectious diseases.

(C) **Facilities for the Livestock Auction Market Veterinarian**—Facilities shall be provided for the Livestock Auction Market Veterinarian for the purpose of conducting the preliminary brucellosis blood test and for keeping such equipment, drugs and supplies as may be necessary to the conduct of his official duties.

(D) **Cleaning and Disinfection**—The premises, including yards, pens, alleys, and chutes shall be cleaned and disinfected in an approved manner following each sale in order to destroy any type of material which might be infected with any agent suspected of having been exposed to or harboring the causative agent or agents of any contagious or infectious disease affecting livestock.

(1) All areas within the Livestock Auction Market shall be cleaned and/or raked to the earth, and all manure and refuse removed from the Livestock Auction Market and such areas be sprayed with an approved disinfectant within 48 hours prior to the next sale.

(2) All areas in the Livestock Auction Market shall be properly drained.

(3) Bedding or the type of bedding used shall be optional.

**Part 4—Records**

(A) **Records**—Records shall be maintained according to Title 6, Chapter 4, Article 3, Section 6-338 of the 1962 Code of Laws of South Carolina.

**Part 5—Livestock Auction Market Veterinarian**

(A) **Who Shall Provide the Services of the Livestock Auction Market Veterinarian**—The Clemson College Livestock-Poultry Health Department shall furnish the services of a Veterinarian to attend the Livestock Auction Market on the day of regularly scheduled sales. For this purpose the State Veterinarian may approve an accredited Deputy State

Veterinarian to assist in the inspection, examination and treatment of livestock in order to control and prevent the spread of contagious and infectious diseases.

(B) **Who Shall Provide Help for the Veterinarian**—The operator of a Livestock Auction Market shall work out a satisfactory agreement between him and the seller and/or buyer to furnish the Veterinarian sufficient help in the examination, treatment, or testing of livestock.

**Part 6—Specific Regulations Covering the Handling, Treating, Testing and Examination of Cattle**

(A) **Brucellosis Testing**—Upon request of the buyer or seller and/or according to the provisions of Part 6 of these regulations, the Livestock Auction Market Veterinarian shall take a blood sample from cattle and shall test the blood in a manner approved by the State Veterinarian to determine if the cattle tested are free from serological evidence of the disease known as brucellosis or if serological evidence exists that such cattle tested have, or may have, the disease known as brucellosis. This test will be a preliminary blood test and cattle sold as brucellosis negative based upon the results of this test, will be sold as such subject to a re-test of the same blood by the Official State Brucellosis Laboratory.

(B) **Fees for the Livestock Auction Market Veterinarian**—The veterinarian shall charge a fee of 50¢ for each cow blood tested for brucellosis.

(C) **Which Cattle Are to be Tested**—All female cattle and bulls over 6 months of age shall be blood tested for brucellosis with the following exceptions:

- (1) Cattle that are to be sold for immediate slaughter;
- (2) Cattle consigned to recognized feed lots for feeding purposes;
- (3) Cattle under 30 months of age that have been officially vaccinated against brucellosis, unless the buyer or owner shall request a blood test; such vaccination shall be subject to confirmation by the State Veterinarian;
- (4) Cattle from certified herds when such certification is current and proof of certification is presented with the cattle;
- (5) Cattle that have been tested and found negative to brucellosis within not more than 30 days prior to the date of the Livestock Auction Market Sale and when such cattle are accompanied by an official brucellosis test chart properly executed.

(D) **Wherein Cattle Are Brucellosis Tested**—Cattle shall be presented at the Livestock Auction Market prior to the sale and the seller or his agent shall indicate whether such cattle are to be sold for dairy or breeding purposes or for the highest dollar.

If the owner elects to sell his cattle for any of the foregoing, they shall be blood tested for brucellosis. The Livestock Auction Market Veterinarian shall take a blood sample from the cattle and shall run a preliminary brucellosis blood test on the serum. If the cattle be negative to this preliminary test, they or she may be sold as brucellosis negative subject to a re-test of the blood by the Official State Brucellosis Laboratory.

If cattle react to the preliminary blood test in serial dilutions that would classify the animal a suspect to brucellosis, then said cattle must be

sold for immediate slaughter or returned to the seller's premises under quarantine. If cattle react to the preliminary blood test in serial dilutions that would classify the cattle as reactors, then such animal or animals must be branded and tagged by the Livestock Auction Market Veterinarian as brucellosis reactors and sold for immediate slaughter or returned to the seller's premises under quarantine.

**Part 7—Specific Rules and Regulations Regarding the Sale of Swine**

(A) **Swine to be Treated Against Hog Cholera Except as Noted Under Paragraphs B, C, D and E**—All swine entered into a Livestock Auction Market for other than immediate slaughter shall be vaccinated against hog cholera using serum and modified live vaccine. The dosage of serum shall be determined by agreement between the State Veterinarian and the Livestock Auction Market Veterinarian.

(B) **Hog Cholera Treatment of Pregnant Sows**—Pregnant sows and gilts may be given anti-hog cholera serum alone at the discretion of the Livestock Auction Market Veterinarian. Pigs suckling the dam, when both are entered in the sale and both are purchased by the same buyer, may be given serum alone, or may be exempt from any hog cholera vaccination at the discretion of the Livestock Auction Market Veterinarian. The dam shall in all cases be given serum and modified live vaccine.

(C) **Hog Cholera Treatment of "No Sale" Hogs**—Hogs being entered into a Livestock Auction Market and subsequently not being sold, shall, before they are allowed to leave the Livestock Auction Market, be vaccinated against hog cholera according to the provisions of Title 6, Chapter 4, Article 3, Section 6-341 of the 1962 Code of Laws of South Carolina and Sec. I, Part 7-A of these rules and regulations, except as noted under Section I, Part 7-B and Part 7-D and Part 7-E.

(D) **"No Sale" Hogs Moved for Immediate Slaughter**—When hogs enter a Livestock Auction Market and the owner subsequently elects not to sell such, the Livestock Auction Market Veterinarian may issue the owner a permit to move such hogs for immediate slaughter without vaccinating them against hog cholera, provided that the Scale Ticket or a receipt for sale from the Slaughtering Establishment to which the hogs move is returned to the Livestock Auction Market Veterinarian.

(E) **Hogs Officially Vaccinated Prior to a Sale**—If hogs are vaccinated by a licensed, accredited veterinarian prior to being entered into a Livestock Auction Market and if they are properly identified and accompanied by proof of vaccination they may be exempt from further hog cholera vaccination.

(F) **Quarantine Pens**—Separate pens shall be provided for holding hogs which have or are suspected of having been exposed to a contagious or infectious disease, and said pens shall be properly identified.

(G) (1) **Disposition of Sick or Exposed Hogs**—If sick hogs are noted prior to unloading at the Livestock Auction Market, then it shall be the right and duty of the Livestock Auction Market Veterinarian, the Livestock Auction Market Operator or his employees, or any veterinarian

or livestock inspector or livestock Law Enforcement Officer employed by the State Veterinarian or the USDA, ARS, ADED, to refuse permission for such hogs to enter the Livestock Auction Market. It shall be the duty of any State or Federally employed Veterinarian or Livestock Inspector, or the Livestock Auction Market Veterinarian to issue a quarantine to the owner of such hogs and such hogs shall be returned to the premises of the owner under said quarantine, until the cause of the illness or suspected illness can be determined by the State Veterinarian.

**(2) When Sick Hogs Are Noted in the Auction Market Prior to Being Sold**—If sick hogs are noted in the Livestock Auction Market prior to such hogs being offered for sale or prior to being sold, such hogs shall be moved to a quarantine pen and the owner of such hogs shall return them to his premises under an official State quarantine until the cause of such illness or suspected illness can be determined by the State Veterinarian.

**(3) When Sick Hogs Are Noted in the Livestock Market Subsequent to Being Sold**—If sick hogs are noted in the Livestock Auction Market subsequent to a sale, they shall be moved to a quarantine pen and shall be considered the property of the buyer or highest bidder and must be moved by the buyer or highest bidder to a stall, lot, yard, farm or premises where they shall be held under official State quarantine until the cause of illness or suspected illness can be determined by the State Veterinarian.

**(H) Who Shall Quarantine Livestock**—The Livestock Auction Market Veterinarian shall have the right and shall be expected to issue a quarantine verbally or in writing on livestock sick of, or suspected of being sick of or exposed to a contagious or infectious disease. Any veterinarian or Livestock Inspector or Livestock Law Enforcement Officer employed by the State Veterinarian or the USDA, ARS, ADED, in the absence of or in cooperation with the Livestock Auction Market Veterinarian shall also be empowered to issue quarantines.

#### **Part 8—Guarantee of Health Status**

The Livestock Auction Market Operator, the Technical Livestock Committee, the State Veterinarian, or any of their employees, agents or authorized representatives, shall not be held responsible for or guarantee the health status of any animals examined, treated and/or tested and offered for sale or sold through the said market; provided further, that any dissatisfaction or controversy about the health status of an animal shall be the responsibility of the seller and buyer.

#### **Part 9—Penalties**

Any person or persons, firm or corporation who shall operate a Livestock Auction Market contrary to the above rules and regulations, and who shall fail to cooperate with the State Veterinarian, his assistant duly authorized representative, and/or the Technical Livestock Committee, in preventing, controlling, and eradication of contagious, infectious and communicable diseases of livestock, shall be subject to punishment in accordance with the laws, rules and regulations pertaining thereto.

## SECTION II

**Daily Sales Barn****Part 1—Definition of Terms to be Used in Section II**

(A) **Definition of a Daily Sales Barn**—A Daily Sales Barn shall be deemed to be a market that shall on a continuing daily basis or on several days of each week **purchase** livestock from the general public, such livestock being intended for resale for immediate slaughter or for resale for return to a farm or premises for breeding or feeding purposes.

(B) **Immediate Slaughter**—The term “Immediate Slaughter” as used in Section II, Part 1-A and as used hereinafter in Section II of these regulations shall be deemed to mean that the livestock purchased for immediate slaughter by a Daily Sales Barn operator will be sold for slaughter within no less than 10 days from the date of purchase by the Daily Sales Barn operator.

(C) **Definition of Terms Under Section I, Part 1**—All terms defined under Section I, Part 1, shall be applicable to Section II, except those terms specifically defined and described under Section I, Part 1 as being applicable only to Section I.

**Part 2—Permits**

(A) **Permit Described**—On or after August 1, 1962, any person, persons, firm or corporation wishing to operate a Daily Sales Barn shall make written application to the State Veterinarian and shall show the full name and address of all persons having a financial interest in the Daily Sales Barn, the name of the officer, manager and person in charge, the name under which the market will operate, the location and facilities for holding and segregating livestock.

(B) **Inspection, Grant and Revocation of Permit**—Upon filing of the application of the forms prescribed, the Technical Livestock Committee shall make an official inspection of the premises of the applicant and if the owner of the proposed market can comply with the provisions of this regulation, the State Veterinarian shall issue the permit. This permit may be revoked by the Technical Livestock Committee for violations of the provisions of the regulations.

(C) **Duration of Permits**—All permits issued under the provisions of these regulations shall be effective until revoked for cause.

(D) **Display of Permit**—The Daily Sales Barn Operator shall display the permit for operation in a suitable place for public inspection.

**Part 3—Facilities for Handling Livestock and for Cleaning and Disinfecting the Daily Sales Barn**

(A) **Facilities**—Proper facilities for handling livestock shall consist of suitable pens in sufficient numbers for holding species of livestock apart and separate. Separate pens shall be provided for livestock which may be suspected of being infected with or exposed to a contagious disease.

(B) **Restraint of Livestock for Examination**—A satisfactory chute, holding pens and other facilities necessary, shall be available to restrain live-

stock for the purpose of examining, treating, testing and immunizing against contagious or infectious diseases.

(C) **Facilities for the Daily Sales Barn Veterinarian**—Facilities shall be provided as necessary for the use of the Sales Barn Veterinarian in the conduct of his official duties.

(D) **Cleaning and Disinfection**—The premises, including yards, pens, alleys, and chutes shall be cleaned and disinfected in an approved manner that the State Veterinarian shall deem necessary.

(E) **Drainage**—All areas in the Daily Sales Barn shall be properly drained.

(F) **Bedding**—Bedding or the type of bedding shall be optional.

#### **Part 4—Records**

(A) **Records**—Records shall be maintained accorded to Title 6, Chapter 4, Article 3, Section 6-338 of the 1962 Code of Laws of South Carolina and shall be further maintained as specifically **required** by the State Veterinarian.

#### **Part 5—Daily Sales Barn Veterinarian**

(A) **Daily Sales Barn Veterinarian**—The Daily Sales Barn Operator shall on a private treaty basis employ the services of a licensed, accredited veterinarian and such veterinarian shall be one who is approved by the State Veterinarian.

(B) **Duties of the Daily Sales Barn Veterinarian**—It shall be the duty of the Daily Sales Barn Veterinarian to visit the Daily Sales Barn at least once each week. He shall make an inspection of the facilities of the Daily Sales Barn to determine that all provisions of these regulations are being observed. He shall observe the livestock to determine the presence of sick animals, if any. If any sick animals are noted, he shall immediately quarantine the premises, allowing only healthy livestock to move to immediate slaughter under permit, and he shall notify the State Veterinarian of his action.

The Daily Sales Barn Veterinarian shall make a weekly report on the forms provided by the State Veterinarian's Office, making a list of any discrepancies noted, and he shall leave the form on file with the Daily Sales Barn Operator, and this form shall be handed over to the State Veterinarian or his authorized agent upon their request.

#### **Part 6—Specific Regulations Covering the Handling, Treating, Testing and Examination of Cattle**

(A) **Records**—Complete records shall be maintained and made available to the State Veterinarian or his authorized agent upon request. Such record shall show the date of purchase, from whom purchased, and the date the cattle are sold and to whom sold and for what purpose sold.

(B) **Cattle for Immediate Slaughter**—Cattle purchased for re-sale for immediate slaughter shall be re-sold for immediate slaughter in not less than 10 days from the date of purchase.

(C) **Cattle for Feeding Purposes**—Cattle purchased for re-sale for feeding purposes shall be re-sold for feeding purposes in not less than 10 days from date of purchase.

(D) **Cattle for Dairy or Breeding Purposes**—Cattle purchased for dairy or breeding purposes shall be re-sold for dairy or breeding purposes in not less than 10 days from date of purchase, provided that such cattle shall have a blood sample taken from them by the Daily Sales Barn Veterinarian, such blood sample to be submitted to the Official Brucellosis State Laboratory, and such cattle to be negative to brucellosis according to the Official Brucellosis State Laboratory prior to being moved from the Daily Sales Barn. The following classes of cattle may be exempt from the brucellosis blood test:

(1) Cattle under 30 months of age that have been officially vaccinated against brucellosis and proof of vaccination is established by the Sales Barn Veterinarian;

(2) Cattle from certified herds when such certification is current and proof of certification is established by the Daily Sales Barn Veterinarian;

(3) Cattle that have been tested and found negative to brucellosis within not more than 30 days prior to the date they are re-sold by the Daily Sales Barn and such cattle are accompanied by an official brucellosis test chart properly executed.

#### **Part 7—Specific Rules and Regulations Regarding the Sale of Swine**

(A) **Records**—Complete records shall be maintained and made available to the State Veterinarian or his authorized agent upon request. Such records shall show the date of purchase, from whom purchased, and the date such swine are re-sold and to whom they are re-sold.

(B) **Hogs Purchased for Immediate Slaughter**—Hogs purchased for immediate slaughter shall be re-sold for immediate slaughter in not less than 10 days from date of purchase.

(C) **Hogs Purchased for Re-Sale for Feeding or Breeding Purposes**—Any hogs purchased for re-sale back to a farm or premises for feeding or breeding purposes or for any purpose other than immediate slaughter, shall be vaccinated against hog cholera by the Daily Sales Barn Veterinarian with anti-hog cholera serum and modified live vaccine, subject to the exceptions noted under the provisions of Section I, Parts 7-B and 7-E, the dosage to be determined by agreement between the Daily Sales Barn Veterinarian and the State Veterinarian. Complete records shall be maintained on these hogs, as described in Part 7-A, Section II, and in addition, a record of vaccination giving the dosage of serum and vaccine, the date vaccinated, the identification of hogs vaccinated, shall be on file with the bill of sale and shall be subject to examination by the State Veterinarian or his authorized agent upon request.

#### **Part 8—Quarantine**

(A) **Reasons for Quarantine of Daily Sales Barn**—If upon a visit by the Daily Sales Barn Veterinarian, the State Veterinarian or his authorized agent, any livestock sick of or suspected of being sick of or ex-

posed to any contagious or infectious disease are noted, the Daily Sales Barn shall be placed under quarantine until the cause of illness or suspected illness can be determined by the State Veterinarian. No further buying will be permitted until all healthy livestock have been moved to immediate slaughter under permit, all sick livestock have recovered or have been disposed of in a manner acceptable to the State Veterinarian and the entire Daily Sales Barn has been cleaned and disinfected in an approved manner and at least 24 hours have elapsed since the cleaning and disinfection.

#### **Part 9—Penalties**

(A) **Penalties**—Any person who shall knowingly violate any provisions set forth in these regulations shall be subject to punishment in accordance with Section 6-347 of the 1962 Code of Laws of South Carolina.

### **SECTION III**

#### **Daily Buying Station**

##### **Part 1—Definition of Terms to be Used in Section III**

(A) **Daily Buying Station Defined**—A Daily Buying Station shall be deemed to be a market operated by a person or persons, firm or corporation, that shall on a continuing daily basis, or on several days of each week, purchase livestock from the general public, such livestock to be re-sold only for the purpose of immediate slaughter and such livestock to be re-sold within not less than 10 days from date of purchase by the Daily Buying Station.

(B) **Definition of Terms Under Section I, Part 1**—All terms defined under Section I, Part 1, shall be applicable to Section III, except those terms specifically defined and described under Section I, Par. 1, as being applicable only to Section I.

##### **Part 2—Permits**

(A) **Permit Described**—On or after August 1, 1962, any person, persons, firm or corporation wishing to operate a Daily Buying Station shall make written application to the State Veterinarian on the forms furnished by the office of the State Veterinarian and shall show the full name and address of all persons having a financial interest in the Daily Buying Station, the name of the officer, manager and person in charge, the name under which the market will operate, the location and facilities for holding and segregating livestock, except that such markets as are operating presently as Daily Buying Stations and adhering to the requirements of these provisions need not apply for a new permit. provided the permit under which they are operating is current and valid, and they intend to continue as Daily Buying Stations, purchasing livestock only for immediate slaughter.

(B) **Inspection, Grant and Revocation of Permit**—Upon filing of the application on the forms provided, the Technical Livestock Committee shall make an official inspection of the premises of the applicant and if

the owner of the proposed market can comply with the provisions of these regulations, the State Veterinarian shall issue the permit. This permit may be revoked by the Technical Livestock Committee for violation of the provisions of these regulations.

(C) **Duration of Permits**—All permits issued under the provisions of these regulations shall be effective until revoked for cause.

(D) **Display of Permits**—The permit shall be displayed in a suitable place for public inspection.

### **Part 3—Facilities for Handling Livestock and for Cleaning and Disinfecting the Daily Buying Station**

(A) **Facilities**—Proper facilities for handling livestock shall consist of suitable pens in sufficient numbers for holding each species of livestock apart and separate.

(B) **Cleaning and Disinfection**—The premises, including yards, pens, alleys, and chutes shall be cleaned and disinfected as the State Veterinarian may prescribe.

(C) **Drainage**—All areas in the Daily Buying Station shall be properly drained.

### **Part 4—Records**

(A) **Records**—Records shall be maintained according to Title 6, Chapter 4, Article 3, Section 6-388 of the 1962 South Carolina Code of Laws and shall be further maintained as specifically required by the State Veterinarian.

### **Part 5—Quarantine**

(A) **For What Purpose Shall Quarantines be Issued**—When any livestock shall be noted that are sick of or are suspected of being sick of or are suspected of being exposed to an infectious or contagious disease.

(B) **When Shall Quarantines be Issued**—When the State Veterinarian or his duly authorized agent shall visit the premises of the Daily Buying Station and shall note any livestock that are affected with an infectious or contagious disease, or that are suspected of being infected with or exposed to an infectious or contagious disease, the State Veterinarian or his duly authorized agent shall quarantine the entire premises and livestock population of the Daily Buying Station until the cause of such illness or suspected illness can be determined by the State Veterinarian. No further buying will be permitted until all healthy livestock have been moved to immediate slaughter under permit, all sick livestock have recovered or been disposed of in a manner acceptable to the State Veterinarian and the entire Daily Buying Station shall be cleaned and disinfected in an approved manner and at least 24 hours have elapsed since the cleaning and disinfection. Upon the meeting of the foregoing requirements, normal buying operations may be resumed.

### **Part 6—Penalties**

(A) **Penalties**—Any person who shall knowingly violate any provisions set forth in these regulations shall be subject to punishment in accordance with Section 6-347 of the 1962 Code of Laws of South Carolina.

**SOUTH CAROLINA STATE CROP PEST COMMISSION**

Promulgated under authority of Section 3-104 of the 1962 Code

**Regulations Governing the Shipment of Tobacco Plants Into  
South Carolina**

(Filed in the office of the Secretary of State June 12, 1962)

Revised March 1, 1962

The fact has been determined that two serious virus diseases affecting tobacco known as Potato Y Veinbanding and Etch Mosaic are not generally present in the State of South Carolina. If these diseases become established in the tobacco growing areas of the State they will cause serious losses to the tobacco farmer.

In order to prevent the introduction of these diseases into South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the names of the diseases against which this quarantine is established, the quarantined areas, the regulated products, and the conditions for movement of regulated products.

**PESTS:** The virus diseases Potato Y Veinbanding and Etch Mosaic.

**QUARANTINED AREAS:**

## 1. Prohibited Area.

Florida—Counties of:

|           |              |           |            |
|-----------|--------------|-----------|------------|
| Broward   | Glades       | Lee       | Palm Beach |
| Charlotte | Hendry       | Manatee   | Pinellas   |
| Collier   | Highlands    | Martin    | Sarasota   |
| Dade      | Hillsborough | Monroe    | St. Lucie  |
| Desota    | Indian River | Okeechobe |            |

## 2. Regulated Areas.

Florida—Counties of:

|          |           |          |            |
|----------|-----------|----------|------------|
| Alachua  | Flagler   | Lake     | Putnam     |
| Baker    | Franklin  | Leon     | Saint John |
| Bay      | Gadsden   | Levy     | Santa Rosa |
| Bradford | Gilchrist | Liberty  | Seminole   |
| Brevard  | Gulf      | Madison  | Sumter     |
| Calhoun  | Hamilton  | Marion   | Suwanee    |
| Citrus   | Hardee    | Nassau   | Taylor     |
| Clay     | Hernando  | Okaloosa | Union      |
| Columbia | Holmes    | Orange   | Volusia    |
| Dixie    | Jackson   | Osceola  | Wakulla    |
| Duval    | Jefferson | Pasco    | Walton     |
| Escambia | LaFayette | Polk     | Washington |

**REGULATED PRODUCTS:** Tobacco plants.**CONDITIONS GOVERNING MOVEMENT OF REGULATED PRODUCTS:**

- A. No tobacco plants produced within the prohibited area can be moved into the State of South Carolina.
- B. No tobacco plants produced within the regulated area can be moved into the State of South Carolina unless and until they have been certified by the Florida State Plant Board, Gainesville, Florida, as having complied with the following regulations:
  1. Plants must be sprayed or dusted at 7- to 10-day intervals beginning when they have true leaves and continuing until they are pulled. A pre-pulling application is recommended 5 to 7 days prior to pulling. Insecticides used must be approved by the regulatory officials of the state in which the plants are grown for the control of possible insect vectors of the virus diseases Potato Y Veinbanding and Etch Mosaic.
  2. Plants must be field inspected by regulatory officials in the state of origin and approved as being free from injurious insects and plant diseases.
  3. Each container of plants must be marked with a tag bearing a declaration of certification, variety, plants per bundle and plants per container.
  4. Each load of certified plants shall be accompanied by a master permit showing: Consignee, Consignor, Date of Issuance, Place of Issuance, Number of Containers for which issued.
  5. All tobacco plants not bearing valid certificates of the state of origin are subject to confiscation upon interception.

**PENALTIES:**

Any person or firm who shall violate these regulations shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111 of the 1962 Code.

**Sweet Potato Weevil Quarantine**

(Filed in the office of the Secretary of State June 12, 1962)

Revised March 1, 1962

It has been determined that a destructive insect known as Sweet Potato Weevil is known to occur in parts of the counties of Beaufort, Charleston, and Jasper, South Carolina and in certain other states.

The South Carolina State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas, the regulated products, the conditions governing the issuance of certificates under which the regulated products may be shipped, and conditions governing the production, handling, and shipment of restricted material.

**PEST:** Sweet Potato Weevil, *Cylas formicarius elegantulus* (Sum.).

**REGULATED AREAS:**

**Alabama:** Counties of Baldwin, Coffee, Covington, Geneva, Henry, Houston, and Mobile.

**Florida:** Entire state.

**Georgia:** Counties of Appling, Bacon, Brooks, Bryan, Camden, Chatham, Colquitt, Cook, Decatur, Dougherty, Echols, Grady, Glynn, Liberty, Lowndes, McIntosh, Pierce, Thomas, Ware, and Wayne.

**Louisiana:** Parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafource, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Helena, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermillion, Vernon, Washington, and West Baton Rouge.

**Mississippi:** Counties of Adams, Copiah, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone, and Walthall.

**Texas:** Entire state with the exception of the counties listed in the Weevil Free Area plus that part of Cherokee County south of a line beginning at the Nacogdoches County line on State Highway 21 and continuing west along Highway 21 to Houston County line, also another portion of Cherokee County within the confines of a line beginning at Rush County line at Highway 79 and continuing West along said highway to farm-to-market road No. 2274, thence south to the town of Ponta thence on Highway 110 southwest to the City of Rusk, continuing from Rusk on farm-to-market road Number 343 east to Nacogdoches county line; also, that part of Rusk County within the confines of a line beginning at the Nacogdoches county line on farm-to-market road Number 225 thence north to Highway 84 and continuing northwest to the township of Glenfawn, thence northwest to Sardis thence West on highway to Cherokee County line.

**Texas Weevil Free Area:** The counties of Anderson, Andrews, Armstrong, Archer, Brewster, Bailey, Borden, Bosque, Briscoe, Baylor, Brown, Bowie, Culberson, Castro, Cochran, Carson, Crane, Crosby, Concho, Collingsworth, Crockett, Childress, Cottle, Coke, Callahan, Coleman, Comanche, Clay, Cook, Colling, Cherokee (See Cherokee County under regulated area), Cass, Camp, Dallam, Deaf Smith, Dawson, Donley, Dickens, Denton, Dallas, Delta, Duval, El Paso, Ector, Eastland, Erath, Ellis, Floyd, Fisher, Foard, Fannin, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Gillespie, Hudspeth, Hockley, Hartley, Hill, Hansford, Hutchinson, Hamilton, Howard, Hale, Hemphill, Hall, Hardeman, Haskell, Hood, Henderson, Hunt, Hopkins, Harrison, Iron, Jack, Johnson, Jeff Davis, Jones, Kaufman, Kimble, Kent, King, Knox, Loving, Lamb, Lubbock, Lynn, Lipscomb, Lamar, Leon, Limestone, Llano, Mills, Mason, Moore, Marion Martin, McCulloch, McLennan, Manard, Midland, Motley, Mitchell, Montague, Morris, Nolan, Navarro, Oldham, Ochiltree, Potter,

Farmer, Palo Pinto, Parker, Panola, Pecos, Presidio, Reeves, Roberts, Reagan, Randall, Robertson, Runnels, Rockwall, Rains, Rusk (See Rusk County under regulated area), Red River, San Saba, Sherman, Schleicher, Shelby, Smith, Sutton, Swisher, Sterling, Stonewall, Scurry, Shackelford, Stephens, Somervell, Terry, Taylor, Throckmorton, Tarrant, Terrell, Titus, Tom Green, Upshur, Upton, Van Zandt, Wood, Ward, Webb, Winkler, Wheeler, Wilbarger, Wichita, Wise, Yoakum, and Young.

#### South Carolina:

Beaufort County—All of Hilton Head Island lying south and east of a line beginning where Broad Creek enters Calibogue Sound; thence in a northeastern direction along said creek to the point of its junction with South Carolina Highway No. 46 and the Folly Field dirt road, thence in a northeastern direction along Folly Field Road and extending along a newly opened road to Port Royal Sound.

Fripps Island—All of that area comprising Fripps Island.

Harbor Island—All of that area comprising Harbor Island.

Charleston County—East of Cooper River—That area comprising Sullivan's Island and the Isle of Palms.

City of Charleston and Charleston Heights—The City of Charleston proper and all that area lying south between the Ashley and Cooper Rivers beginning at a point where South Carolina Highway No. 7 leaves the Ashley River and extending north along Highway No. 7 to its intersection with United States Highway No. 52, thence east along United States Highway No. 52 to Reynolds Avenue, thence along Reynolds Avenue through the main gate of the United States Naval Base to the Cooper River.

West of Ashley River—James Island—All that area lying within the one mile radius of the sweet potato weevil infestation on the R. F. Grimball farm (William Middleton, lessee). All that area lying within the one mile radius of the sweet potato weevil infestation on the Eleanor White Farm (Junius Richardson, lessee).

Morris Island—All of that area comprising Morris Island.

Edisto Island—All of that area comprising Edisto Beach.

Kiawah Island—All of that area comprising Kiawah Island.

Jasper County—Bellinger Hill—All of that area lying within the one mile radius of sweet potato weevil infestation on the farm of Addie Scott.

All of that area comprising Savannah River Wild Life Refuge, north and south of United States Highway No. 17.

**RESTRICTED PRODUCTS:** The living sweet potato weevil or any stage thereof, sweet potato roots or tubers, plants, vines or parts thereof; vines or roots of all plants belonging to the genus *Ipomoea* or such other plants as may be found to be hosts of the sweet potato weevil.

**CONDITIONS GOVERNING THE MOVEMENT OF RESTRICTED PRODUCTS:** Restricted products shall not be moved from any regulated area through, into, within or from the State of South Carolina unless accompanied by a valid Sweet Potato Weevil Quarantine Certificate attached to each container issued by a duly authorized inspector upon determination that (1) the material certified is apparently free from infestation

of the sweet potato weevil and (2) the material certified has been produced, packed and handled in such a manner and under such conditions as to eliminate any danger of the spread of the sweet potato weevil.

Provided (1) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into any state which prohibits such entry, (2) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into the non-regulated area thereof except when such material has been properly fumigated with methyl bromide and/or when such material is consigned to and receipted by a processing plant for immediate use, (3) that sweet potatoes from the regulated areas of other states shall be admitted into South Carolina only when accompanied by a certificate issued by a duly authorized inspector of the state of origin attached to each container establishing the fact that the sweet potatoes shipped were properly fumigated with methyl bromide, (4) the shipper must notify the South Carolina State Crop Pest Commission at the time of the shipment of the fumigated sweet potatoes, giving consignee, destination, size, and date of shipment.

**CONDITIONS GOVERNING THE PRODUCTION, HARVESTING,  
STORING AND MOVEMENT OF RESTRICTED PRODUCTS  
AND STORAGE AND FIELD CLEAN-UP OPERATIONS IN  
THE REGULATED AREA OF SOUTH CAROLINA.**

**a. Location of Seed Beds and Field Plantings.**

No person shall bed or make field plantings of sweet potatoes within the regulated areas of South Carolina as described in this Quarantine.

**b. Harvesting, Storing and Movement of Restricted Products and Storage and Field Clean-Up Operations.**

Owners and tenants of all properties lying within the regulated areas of South Carolina shall conduct harvesting, storing and movement of restricted products and storage and field clean-up operations at a time and in a manner prescribed by an authorized inspector of the South Carolina State Crop Pest Commission.

**Penalties:** Any person who shall violate any of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by Section 3-111 of the 1962 Code.

Revised March 1, 1963

(Filed in the office of the Secretary of State May 9, 1963)

**PEST:** Sweet Potato Weevil, *Cylas formicarius elegantulus* (Sum.).

**REGULATED AREAS:**

**Alabama:** Counties of Baldwin, Coffee, Covington, Geneva, Houston, and Mobile.

**Florida:** Entire state.

**Georgia:** Counties of Appling, Bacon, Brooks, Bryan, Camden, Chatham, Colquitt, Cook, Decatur, Dougherty, Echols, Grady, Glynn, Liberty, Lowndes, McIntosh, Pierce, Thomas, Ware and Wayne.

**Louisiana:** Parishes of Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Calcasieu, Cameron, Evangeline, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafource, Livingston, Orleans, Plaquemines, Pointe Coupee, Rapides, Sabine, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Helena, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermillion, Vernon, Washington, and West Baton Rouge.

**Mississippi:** Counties of Adams, Amite, Copiah, Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jeff Davis, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone and Walthall.

**Texas:** Entire state with the exception of weevil free counties as follows: Andrews, Armstrong, Archer, Brewster, Bailey, Borden, Bosque, Briscoe, Baylor, Brown, Bowie, Culberson, Castro, Cochran, Carson, Crane, Crosby, Concho, Collingsworth, Crockett, Childress, Cottle, Coke, Callahan, Coleman, Comanche, Clay, Cook, Collin, Cass, Camp, Dallam, Deaf Smith, Dawson, Donley, Dickens, Denton, Dallas, Delta, Duval, El Paso, Ector, Eastland, Erath, Ellis, Floyd, Fisher, Foard, Fannin, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Gillespie, Hudpeth, Hockley, Hartley, Hill, Hansford, Hutchinson, Hamilton, Howard, Hale, Hemphill, Hall, Hardeman, Haskell, Hood, Henderson, Hunt, Hopkins, Harrison, Irion, Jack, Johnson, Jeff Davis, Jones, Kaufman, Kimble, Kent, King, Knox, Loving, Lamb, Lubbock, Lynn, Lipscomb, Lamar, Limestone, Llano, Mills, Mason, Moore, Marion, Martin, McCulloch, McLennan, Menard, Midland, Motley, Mitchell, Montague, Morris, Nolan, Navarro, Oldham, Ochiltree, Potter, Parmer, Palo Pinto, Parker, Panola, Pecos, Presidio, Reeves, Roberts, Regen, Randall, Robertson, Runnels, Rockwall, Rains, Red River, San Saba, Sherman, Schleicher, Smith, Sutton, Swisher, Sterling, Stonewall, Scurry, Shackelford, Stephens, Somervell, Terry, Taylor, Throckmorton, Tarrant, Terrell, Titus, Tom Green, Upshur, Upton, Van Zandt, Wood, Ward, Winkler, Wheeler, Wilbarger, Wichita, Wise, Yoakum and Young.

**South Carolina:**

**Beaufort County**—All of Hilton Head Island lying south and east of a line beginning where Broad Creek enters Calibogue Sound; thence in a northeastern direction along said creek to the point of its junction with South Carolina Highway No. 46 and the Folly Field dirt road, thence in a northeastern direction along Folly Field Road and extending along a newly opened road to Port Royal Sound.

**Fripps Island**—All of that area comprising Fripps Island.

**Harbor Island**—All of that area comprising Harbor Island.

**Charleston County**—East of Cooper River—That area comprising Sullivan's Island and the Isle of Palms.

**City of Charleston and Charleston Heights**—The city of Charleston and all that area lying south between the Ashley and Cooper Rivers beginning at a point where South Carolina Highway No. 7 leaves the Ashley River and extending north along Highway No. 7 to its intersection with United

States Highway No. 52 to Reynolds Avenue, thence along Reynolds Avenue through the main gate of the United States Naval Base to the Cooper River.

Morris Island—All of that area comprising Morris Island.

Kiawah Island—All that area comprising Kiawah Island.

Jasper County—Bellinger Hill—All that area lying within the one mile radius of sweet potato weevil infestation on the farm of Addie Scott.

All of that area comprising Savannah River Wildlife Refuge, north and south of United States Highway No. 17.

**RESTRICTED PRODUCTS:** The living sweet potato weevil or any stage thereof, sweet potato roots or tubers, plants, vines or parts thereof; vines or roots of all plants belonging to the genus *Ipomoea* or such other plants as may be found to be hosts of the sweet potato weevil.

**CONDITIONS GOVERNING THE MOVEMENT OF RESTRICTED PRODUCTS:** Restricted products shall not be moved from any regulated area through, into, within or from the state of South Carolina unless accompanied by a valid Sweet Potato Weevil Quarantine Certificate attached to each container issued by a duly authorized inspector upon determination that (1) the material certified is apparently free from infestation of the sweet potato weevil and (2) the material certified has been produced, packed and handled in such a manner and under such conditions as to eliminate any danger of the spread of the sweet potato weevil.

Provided (1) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into any state which prohibits such entry, (2) that no certificate shall be issued for the movement of restricted material from the regulated area of South Carolina into the non-regulated area thereof except when such material has been properly fumigated with methyl bromide and/or when such material is consigned to and receipted by a processing plant for immediate use, (3) that sweet potatoes from the regulated areas of other states shall be admitted into South Carolina only when accompanied by a certificate issued by a duly authorized inspector of the state of origin attached to each container establishing the fact that the sweet potatoes shipped were properly fumigated with methyl bromide, (4) the shipper must notify the South Carolina State Crop Pest Commission at the time of shipment of the fumigated sweet potatoes, giving consignee, destination, size, and date of shipment.

**CONDITIONS GOVERNING THE PRODUCTION, HARVESTING, STORING AND MOVEMENT OF RESTRICTED PRODUCTS AND STORAGE AND FIELD CLEAN-UP OPERATIONS IN THE REGULATED AREA OF SOUTH CAROLINA.**

a. Location of Seed Beds and Field Plantings.

No person shall bed or make field plantings of sweet potatoes within the regulated areas of South Carolina as described in this Quarantine.

b. Harvesting, Storing and Movement of Restricted Products and Storage and Field Clean-Up Operations.

Owners and tenants of all properties lying within the regulated areas of South Carolina shall conduct harvesting, storing and movement of restricted products and storage and field clean-up operations at a time and in a manner prescribed by an authorized inspector of the South Carolina State Crop Pest Commission.

**Penalties:** Any person who shall violate any of these regulations shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by Section 3-111 of the 1962 Code.

### **Camellia Flower Blight Quarantine**

Revised May 1, 1962

(Filed in the office of the Secretary of State July 17, 1962)

The fact has been determined that a serious plant disease known as Camellia Flower Blight (*Sclerotinia camellia*), is known to occur in certain counties of South Carolina and in certain other states.

If this disease becomes established in the camellia gardens and nurseries of the state it will cause serious losses to the camellia industry.

In order to prevent the further spread of this disease into South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which this quarantine is established, the regulated areas, the prohibited products, and the conditions for movement of the regulated products.

**PEST:** Camellia Flower Blight (*Sclerotinia camellia*).

### **QUARANTINED AREAS:**

#### **1. INFECTED AREAS:**

**California:** Entire State.

**Georgia:**

1. Bibb County—That portion of the City of Macon included within the city limits located west of the Ocmulgee River; and further that area included within a line beginning at the east bank of the Ocmulgee River at Park View Drive; thence easterly along Park View Drive, Curry Drive, and Boulevard to the intersection of Briarcliff Road; thence north along Briarcliff Road to Twin Pine Drive; thence north along Twin Pine Drive to intersection of Peyton Place; thence west along Peyton Place to Nottingham Drive; and thence west on a projected line from Nottingham Drive to the Ocmulgee River; thence south along the Ocmulgee River to Park View Drive.

2. Fulton County—That property known as 3629 Tuxedo Road, located in the northwest section of Atlanta, consisting of eleven acres, bounded on the north by Tuxedo Road, on the east by the property of Hix Green, and on the south by the property of Robert T. Jones.

3. Muscogee County—All that area lying within the corporate city limits of Columbus.

4. Richmond County—All that area lying within the corporate city limits of Augusta.

**Louisiana:**

1. Bossier Parish—The corporate limits of the city of Bossier City.
2. Caddo Parish—The entire Wards 3, 4 and 7.
3. East Baton Rouge Parish—That portion of Wards 6 and 8 lying south and west of Louisiana Highways 61 and 7; east of the Mississippi River and north of Bayou Manchac.
4. Jefferson Parish—That portion of Ward 8 lying east of the Pontchartrain Causeway and north of Ward 7.
5. Orleans Parish—The entire Parish of Orleans.
6. St. Tammany Parish—That portion of Wards 1, 2 and 3 lying east of Louisiana Highway 21, the Tchefuncta River, Pruden Creek and Louisiana Highway 25; south of Louisiana Highway 1081; west of Louisiana Highway 1082 and 59; and north of Louisiana Highways 22 and 190.
7. Tangiphoa Parish—That portion of Ward 5 lying north of Louisiana Highway 40-E; east of Louisiana Highways 40-N and 1062; south of Louisiana Highway 1062; west of Louisiana Highways 40-N and 445; that portion of Wards 6 and 7 lying north of Louisiana Highway 1067-E; east of Louisiana Highways 1067-N and 443; south and west of Louisiana Highway 443 and the Tangiphoa River.
8. Washington Parish—C. L. George's Nursery and one mile radius surrounding thereof.
9. West Feliciana—The Ellersby and Rosedown Plantations and a one mile radius surrounding the focal point of each property.

**North Carolina:**

1. Brunswick County—That part of Orton Plantation beginning at the main entrance to Orton Plantation on Highway N. C. 130 and extending north along said Highway one mile, thence due east to Cape Fear River, thence south along Cape Fear River, thence south along Cape Fear River for two miles, thence due west to Highway N. C. 130 and along said Highway 130 north to main entrance to Orton Plantation.
  - (b) Beginning at a point on the west bank of the Cape Fear River east of and in line with the main Residence Building on Pleasant Oak Plantation and extending north along said river one mile; thence along a straight line due west for one mile; then south along a line parallel to and one mile west of said river for two miles; thence due east to said river and along west bank of river north to starting point. This property is located east of N. C. Highway 130, 7 miles south of junction of Highway 130 and 17.
2. New Hanover County—(a) All that property known as Airle Gardens and Nursery, located on both sides of U. S. Highway 74 and 76 just west of Wrightsville Sound.
  - (b) That portion of the City of Wilmington bounded on the north by Market Street—on the east by the city limit line; on the south by a line one-half mile south of and parallel to the city limit line; and on the west by South 17th Street.
3. Onslow County—That portion of Onslow County included within the boundaries of Camp Lejeune Marine Base.

4. Wilson County—That area included within a circle having a one-mile radius with the center at the entrance to Tomlinson's Nursery. This property is located 2.2 miles from the Wilson city limits on Highway 264 east.

**Oregon:** Entire State.

**South Carolina:**

1. Charleston County—That portion of Charleston County beginning at the Ashley River and extending west and southwest along the Dorchester County line to S. C. Highway 317; extending south along S. C. Highway 317 to its junction with U. S. Highway 17; then extending eastward along U. S. Highway 17 to its junction with S. C. Highway 20; then extending southward on S. C. Highway 20 to the Stono River; then southeasterly along the Stono River to Wapoo Creek; then southeasterly along Wapoo Creek; then southeasterly along Wapoo Creek to its junction with the Ashley River; then along the Ashley River to the Dorchester County line.

All of that area comprising the corporate limits of the City of Mount Pleasant.

2. Darlington County—That portion of Darlington County included within the corporate limits of the town of Darlington.

3. Dorchester County—All of that area of Dorchester County bounded on the northeast by Berkeley County from a point where S. C. Highway 58 crosses the Berkeley County line; southwesterly along Highway 58 to its junction with S. C. Highway 22; southeasterly along S. C. Highway 22 to its junction with S. C. Highway 642; easterly along S. C. Highway 642 to its junction with S. C. Highway 165; south along S. C. Highway 165 to its junction with S. C. Highway 61; southeasterly along Highway 61 to the Charleston County line; then following the Charleston County line to the Berkeley County line and then northwesterly to S. C. Highway 58; including all of the town of Summerville.

4. Florence County—That portion of Florence County included within the corporate limits of the City of Florence and the town of Timmons ville.

5. Horry County—That portion of Horry County included within the corporate limits of the towns of Conway and Myrtle Beach.

6. Sumter County—That portion of Sumter County included within the corporate limits of the town of Sumter.

**Virginia:** Entire State.

**2. OTHER AREAS:**

Any other properties or areas in the State of South Carolina found to be infected with Camellia Flower Blight shall become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers or through direct written notice to those concerned.

**3. RESTRICTED AREAS:**

All other states that do not maintain restrictions against the movement of restricted material from designated infected states or areas into their respective states.

**PROHIBITED PRODUCTS:**

Balled and potted camellia plants—cut camellia flowers.

**CONDITIONS OF MOVEMENT OF REGULATED PRODUCTS:**

No balled or potted camellia plants with soil attached, cut camellia flowers, or plants with flower buds showing any traces of color, can be moved from the regulated areas into the State of South Carolina. Bare rooted camellia plants with flower buds showing no trace of color will be allowed entry from the regulated areas under proper certificate from the state of origin.

**PENALTIES:**

Camellia plants or flowers imported into the State of South Carolina in violation of these regulations are subject to destruction or return to the point of origin at the discretion of the South Carolina State Crop Pest Commission.

Any person or firm who shall violate the regulations of the quarantine shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111 of the 1962 Code.

Revised June 15, 1963

(Filed in the office of the Secretary of State June 28, 1963)

**PEST:** Camellia Flower Blight (*Sclerotinia camellia*).

**QUARANTINED AREAS:****1. INFECTED AREAS:****Alabama:**

1. Mobile County—That portion of the City of Spring Hill that is bound on the north by the G. M. & O. Railroad; on the east by Sage Avenue, or an extension thereof; on the south by Airport Boulevard and on the west by General Bullard Avenue, or an extension thereof.

2. Montgomery County—That area in the City of Montgomery that is bound on the north by Lake Street; on the east by Dale Drive, or an extension thereof; on the south by Fairview Avenue, and on the west by Sudie Street, or an extension thereof.

**California:** Entire State.

**Georgia:**

1. Bibb County—That portion of the City of Macon included within the city limits located west of the Ocmulgee River; and further that area included within a line beginning at the east bank of the Ocmulgee River at Park View Drive; thence easterly along Park View Drive, Curry Drive, and Boulevard to the intersection of Briarcliff Road; thence north along Briarcliff Road to Twin Pine Drive; thence north along Twin Pine Drive to intersection of Peyton Place; thence west along Peyton Place to Nottingham Drive; and thence west on a projected line from Nottingham Drive to the Ocmulgee River; thence south along the Ocmulgee River to Park View Drive.

2. Fulton County—That property known as 3629 Tuxedo Road, located in the northwest section of Atlanta, consisting of eleven acres, bounded on the north by Tuxedo Road, on the east by the property of Hix Green, and on the south by the property of Robert T. Jones.

3. Muscogee County—All that area lying within the corporate city limits of Columbus.

4. Richmond County—All that area lying within the corporate city limits of Augusta.

**Louisiana:**

1. Bossier Parish—The corporate limits of the city of Bossier City.

2. Caddo Parish—The entire Wards 3, 4 and 7.

3. East Baton Rouge Parish—That portion of Wards 6 and 8 lying south and west of Louisiana Highways 61 and 7; east of the Mississippi River and north of Bayou Manchac.

4. Jefferson Parish—That portion of Ward 8 lying east of the Pontchartrain Causeway and north of Ward 7.

5. Orleans Parish—The entire Parish of Orleans.

6. St. Tammany Parish—That portion of Wards 1, 2 and 3 lying east of Louisiana Highway 21, the Tchefuncta River, Pruden Creek and Louisiana Highway 25; south of Louisiana Highway 1081, west of Louisiana Highways 1082 and 59; and north of Louisiana Highways 22 and 190.

7. Tangiphoa Parish—That portion of Ward 5 lying north of Louisiana Highway 40-E; east of Louisiana Highways 40-N and 1062; south of Louisiana Highway 1062; west of Louisiana Highway 40-N and 445; that portion of Wards 6 and 7 lying north of Louisiana Highway 1067-E; east of Louisiana Highway 1067-N and 443; south and west of Louisiana Highway 443 and the Tangiphoa River.

8. Washington Parish—C. L. George's Nursery and one mile radius surrounding thereof.

9. West Feliciana—The Ellersby and Rosedown Plantations and a one mile radius surrounding the focal point of each property.

**Mississippi:**

Pike County—The entire county of Pike.

**North Carolina:**

1. Brunswick County—That part of Orton Plantation beginning at the main entrance to Orton Plantation on Highway N. C. 130 and extending north along said Highway one mile, thence due east to Cape Fear River, thence south along Cape Fear River, thence south along Cape Fear River for two miles, thence due west to Highway N. C. 130 and along said Highway 130 north to main entrance to Orton Plantation.

Beginning at a point on the west bank of the Cape Fear River east of and in line with the main Residence Building on Pleasant Oak Plantation and extending north along said river one mile, thence along a straight line due west for one mile; then south along a line parallel to and one mile west of said river for two miles; thence due east to said river and along

west bank of river north to starting point. This property is located east of N. C. Highway 130, 7 miles south of junction of Highway 130 and 17.

2. New Hanover County—All that property known as Airlie Gardens and Nursery, located on both sides of U. S. Highways 74 and 76 just west of Wrightsville Sound.

That portion of the City of Wilmington bounded on the north by Market Street—on the east by the city limit line; on the south by a line one-half mile south of and parallel to the city limit line; and on the west by South 17th Street.

3. Onslow County—That portion of Onslow County included within the boundaries of Camp Lejeune Marine Base.

4. Wilson County—That area included within a circle having a one-mile radius with the center at the entrance to Tomlinson's Nursery. This property is located 2.2 miles from the Wilson City limits on Highway 264 east.

**Oregon:** Entire State.

**South Carolina:**

1. Aiken County—That portion of Aiken County included within the corporate limits of the town of North Augusta.

2. Berkeley County—That portion of Berkeley County within a 10 mile radius of the town of Mount Holly.

3. Charleston County—That portion of Charleston County beginning at the Ashley River and extending west and southwest along the Dorchester County line to S. C. Highway 317; extending south along S. C. Highway 317 to its junction with U. S. Highway 17; then extending eastward along U. S. Highway 17 to its junction with S. C. Highway 20; then extending southward on S. C. Highway 20 to the Stono River; then southeasterly along the Stono River to Wapoo Creek; then southeasterly along Wapoo Creek; then southeasterly along Wapoo Creek to its junction with the Ashley River; then along the Ashley River to the Dorchester County line.

All of that area comprising the corporate limits of the City of Mount Pleasant.

4. Colleton County—That portion of Colleton County included within the corporate limits of the town of Walterboro.

All of that area comprising the corporate limits of the town of Cottageville.

5. Darlington County—That portion of Darlington County included within the corporate limits of the town of Darlington.

6. Dorchester County—All of that area of Dorchester County bounded on the northeast by Berkeley County from a point where S. C. Highway 58 crosses the Berkeley County line; southwesterly along Highway 58 to its junction with S. C. Highway 22; southeasterly along S. C. Highway 22 to its junction with S. C. Highway 642; easterly along S. C. Highway 642 to its junction with S. C. Highway 165; south along S. C. Highway 165 to its junction with S. C. Highway 61; southeasterly along Highway 61 to the Charleston County line; then following the Charleston County line to the Berkeley County line, and then northwesterly to S. C. Highway 58; including all of the town of Summerville.

7. Florence County—That portion of Florence County included within the corporate limits of the City of Florence and the town of Timmons ville.

8. Hampton County—That portion of Hampton County included within the corporate limits of the town of Hampton.

9. Horry County—That portion of Horry County included within the corporate limits of the towns of Conway and Myrtle Beach.

10. Lexington County—All that area of Lexington County bounded on the east by Richland County from a point where U. S. Highway 378 crosses the Richland County line and extending westerly along said Highway to its intersection with U. S. Highway 1 in the town of Lexington; easterly along U. S. Highway 1 to its intersection with S. C. Highway 167; south-easterly along Highway 167 to S. C. Highway 70; easterly along Highway 70 to S. C. Highway 168; southeasterly along Highway 168 to its inter-section with S. C. Highway 72; then along S. C. Highway 72 to its inter-section with Interstate Highway 26; and then on a line east to the Rich-land County line.

11. Richland County—The entire county of Richland.

12. Sumter County—The entire county of Sumter.

Virginia: Entire State.

## **2. OTHER AREAS:**

Any other properties or areas in the State of South Carolina found to be infected with Camellia Flower Blight shall become immediately subject to the regulations of this quarantine when so declared by the South Caro-lina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers or through direct written notice to those concerned.

## **3. RESTRICTED AREAS:**

All other states that do not maintain restrictions against the movement of restricted material from designated infected states or areas into their respective states.

## **PROHIBITED PRODUCTS:**

Balled and potted camellia plants—cut camellia flowers.

## **CONDITIONS OF MOVEMENT OF REGULATED PRODUCTS:**

No balled or potted camellia plants with soil attached, cut camellia flowers, or plants with flower buds showing any traces of color, can be moved from the regulated areas into the State of South Carolina. Bare rooted camellia plants with flower buds showing no trace of color will be allowed entry from the regulated areas under proper certificate from the state of origin.

## **PENALTIES:**

Camellia plants or flowers imported into the State of South Carolina in violation of these regulations are subject to destruction or return to the point of origin at the discretion of the South Carolina State Crop Pest Commission.

Any person or firm who shall violate the regulations of the quarantine shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided by Section 3-111 of the 1962 Code.

### Japanese Beetle Quarantine

October 1, 1962

(Filed in the office of the Secretary of State November 15, 1962)

The fact has been determined that a destructive insect pest known as the Japanese Beetle has been found in certain areas in the State of South Carolina. In order to prevent the further spread of this insect in South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **PEST**—Japanese Beetle (*Popillia japonica* Newn.), in any stage of development.

2. **DEFINITION OF TERMS**—For the purpose of this quarantine the following words, names, and terms shall be construed, respectively, to mean:

a. Japanese Beetle—The insect known as Japanese beetle (*Popillia japonica* Newn.), in any stage of development.

b. Infestation—This term refers to the presence of Japanese beetle.

c. Generally Infested Area—Those areas where Japanese beetle infestations are so widespread that control or eradication measures are not practicable with available facilities. Movement of materials from these areas is regulated to prevent spread of the pest to non-infested areas.

d. Suppressive Areas—Those areas where infestations are limited in population or extent, and control or eradication measures are practicable.

e. Noninfested Premises, Establishments, or Areas—That portion of the regulated areas in which no infestation exists, or in the vicinity of which no infestation is known to exist under such conditions as to expose it to infestation by natural spread of beetles, as determined by an inspector.

f. Regulated Articles—Soil, and other articles and products, and means of conveyance, the movement of which is regulated by the Japanese beetle quarantine.

g. Soil-free, Free From Soil—Devoid of soil in quantities sufficient to harbor immature stages of the Japanese beetle.

h. Inspector—An inspector of the South Carolina State Crop Pest Commission or United States Department of Agriculture, Plant Pest Control Division.

i. Certificate—A valid form evidencing compliance with the requirements of these regulations.

### 3. REGULATED AREAS—

A. Generally Infested Areas—Entire counties of: Cherokee, Dillon, Greenville, Marlboro, Oconee, Pickens, and Spartanburg.

- B. Suppressive Areas—Entire counties of: Aiken, Florence, Lexington, and Richland.
- C. Other Areas—Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the State Entomologist of the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

#### 4. REGULATED ARTICLES—

- A. Unless exempted and except as otherwise provided, the intrastate movement of the following articles from regulated areas to points outside the regulated area is subject to the regulations of this quarantine.
- a. Soil, humus, compost and decomposing manure.
  - b. Forest, field, nursery, or greenhouse grown woody or herbaceous plants with roots.
  - c. Grass sod.
  - d. Plant crowns or roots for propagation.
  - e. True bulbs, corms, tubers and rhizomes of ornamental plants, when freshly harvested or uncured.
  - f. Other farm products and trucks, wagons, railway cars, aircraft, boats and other means of conveyance and unlimited by the foregoing, any other article and products of any character whatsoever not covered by a.-e. of this paragraph when it is determined in accordance with the regulations that they present a hazard of spread of Japanese beetle.

#### 5. ARTICLES EXEMPT FROM CERTIFICATION—

- A. The following articles are exempted from the requirements of paragraph 4 under the conditions set forth herein.
- a. Humus, compost, and decomposed manure, when dehydrated, ground, pulverized, or compressed.
  - b. True bulbs, corms, and tubers (other than dahlia tubers), when dormant, except for storage growth, and when free from soil.
  - c. Single dahlia tubers or small dahlia root-divisions when free from stems, cavities, and soil. (Dahlia tubers, other than single tubers or small root-divisions meeting these conditions, are not exempted and must comply with the regulations regarding regulated articles.)
  - d. Plants when growing exclusively in *Osmunda* fiber or chipped or shredded bark.
  - e. Trailing arbutus or Mayflower (*Epigaea repens*), when free from soil.
  - f. Moss, clubmoss, and ground-pine or running-pine, when free of soil.
  - g. Soil-free aquatic plants.
  - h. Soil-free sweet potato draws.
  - i. Soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the Japanese beetle.

**6. CONDITIONS GOVERNING INTRASTATE MOVEMENT OF REGULATED ARTICLES—**

a. Except as provided in paragraph 7 regulated articles shall not be moved intrastate from the regulated areas as specified to points outside the regulated areas, unless a certificate shall have been issued in compliance with paragraph 7. Regulated articles may move from suppressive areas to generally infested areas, but will not be allowed to move from generally infested areas to suppressive areas without certification.

b. Marking—Every container of articles, the intrastate movement of which is restricted as provided in paragraph 4, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside a valid certificate issued in compliance with these regulations: Provided, that (1) in the case of lot freight shipments other than by road vehicle, a certificate attached to one of the containers and another certificate attached to the waybill will be sufficient, and carlot freight or express shipments, either in containers or in bulk, require a certificate attached to the waybill; (2) in the case of shipment by road vehicle, the certificate shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

c. Articles originating outside the regulated area—No certificates are required for the intrastate movement of restricted articles originating outside the regulated areas and moving through or reshipped from a regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles are safeguarded against infestation while in the regulated areas.

**7. CONDITIONS GOVERNING THE ISSUANCE OF CERTIFICATES—**

a. Certification of regulated articles. Certificates may be issued for the movement of the regulated articles under any one of the following conditions:

- (1) When, in the judgment of the inspector, they have not been exposed to infestation.
- (2) When they have been examined by an inspector and found to be free of infestation.
- (3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

b. Safeguards against reinfestation—Subsequent to certification, as provided in paragraph a. of this section, the regulated articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

**8. ASSEMBLY OF RESTRICTED ARTICLES FOR INSPECTION—**

Persons intending to move intrastate any of the articles restricted by these regulations shall make application for inspection as far in advance

as possible and will be required to prepare, handle, and safeguard such materials from infestation, and to assemble them at such points as the inspector shall designate, placing them so that inspection may be readily made. All costs including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

#### **9. CANCELLATION OF CERTIFICATES—**

Certificates issued under these regulations may be withdrawn or cancelled by the inspector and further certification refused whenever the further use of such certificates might result in the dissemination of infestation.

#### **10. INSPECTION IN TRANSIT—**

Any car, vehicle, basket, box or container moved intrastate or offered to a common carrier for shipment intrastate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is restricted by these regulations, shall be subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestations may be required as a condition of further transportation or delivery.

#### **11. CLEANING OF TRUCKS, WAGONS, CARS, BOATS, AND OTHER VEHICLES AND CONTAINERS—**

When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of trucks, wagons, cars, boats, and other vehicles and containers may be required before movement intrastate to points outside of the regulated areas.

#### **12. SHIPMENTS FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES—**

Articles subject to restriction in these regulations may be moved intrastate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the South Carolina State Crop Pest Commission. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the South Carolina State Crop Pest Commission.

#### **13. PENALTIES—**

Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of Japanese beetles which may occur on their property under the direction of the Entomologist of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111 of the 1962 Code.

**Imported Fire Ant Quarantine**

Revised November 15, 1962

(Filed in the office of the Secretary of State May 9, 1963)

It has been determined that an insect pest known as the imported fire ant has been found in certain areas in the State of South Carolina. In order to prevent the further spread of this injurious insect in South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the name of the insect against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **INSECT:** The insect known as the imported fire ant (*Solenopsis saevissima richteri* Forel) in any stage of development.

**2. QUARANTINED AREAS:**

**Charleston County.** That portion of the county bounded by a line beginning at a point where U. S. Highway 78 intersects the Charleston-Dorchester County line and extending northeast along said county line to its junction with the Charleston and Berkeley County line; thence south and east along said county line to its junction with Cooper River; thence in a southerly direction along said river to its intersection with U. S. Highway 17; thence west and north along said highway to its intersection with State Primary Highway 165; thence northwest along said highway to its intersection with the Charleston-Dorchester County line; thence along said county line to the point of beginning.

**Orangeburg County.** That portion of the county bounded by a line beginning at a point where U. S. Highway 21 intersects the Orangeburg-Calhoun County line, and extending in a southeasterly direction along said county line to its intersection with Four Hole Swamp; thence southeast along said swamp to its intersection with State Primary Highway 121; thence southwest along said highway to its intersection with State Secondary Highway 92; thence southeast along said highway to its junction with State Secondary Highway 28; thence west along said highway to its junction with U. S. Highway 178; thence northwest along said highway to its intersection with the southeast boundary of the corporate limits of Bowman; thence southwest and northwest along said corporate limits to its intersection with State Primary Highway 121; thence southwest along said highway to its intersection with the corporate limits of Branchville; thence along the north boundary of said corporate limits to the intersection with State Secondary Highway 63; thence northwest along said highway to its intersection with North Fork Edisto River; thence generally north along said river to its intersection with State Secondary Highway 39; thence west along said highway to its junction with State Secondary Highway 49; thence northeast along said highway to its junction with Secondary Highway 376; thence west along said highway to its intersection with State Secondary Highway 90; thence generally north along said highway to its junction with State Secondary Highway 1072; thence northwest

along said highway to its junction with U. S. Highway 301-601; thence east along said highway to its intersection with North Fork Edisto River; thence northwest along said river to its intersection with State Secondary Highway 74; thence northeast along said highway to its junction with U. S. Highway 178; thence southeast 1.6 miles along said highway to its intersection with a FAS unnumbered road; thence southeast along said FAS road to its intersection with U. S. Highway 21 at the north city limits of Orangeburg; thence north along said U. S. Highway 21 to the point of beginning; excluding the area within the corporate limits of the towns of Orangeburg, Rowesville and Bowman.

**Other Areas:** Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

**3. IMPORTED FIRE ANT—CONDITIONS OF MOVEMENT.** Live imported fire ants may be moved from the State of South Carolina only if such movement is made for scientific purposes and when in accordance with the regulations outlined in the regulations of the Imported Fire Ant Quarantine of the United States Department of Agriculture.

**4. REGULATED ARTICLES—CONDITIONS OF MOVEMENT.**

(a) **Designated articles**—Unless exempted by administrative instructions the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with the Imported Fire Ant Quarantine of the United States Department of Agriculture and its applicable requirements; soil, sand or gravel, separately or with other things, except that the movement of processed soil and gravel is not regulated; forest field or nursery-grown woody or herbaceous plants with soil attached; plants in pots or containers; grass sod; and unmanufactured forest products such as stump wood or timbers if soil is attached; and unlimited by the foregoing, any other products or articles of any character whatsoever not herein listed when it is determined in accordance with the regulations that they present a hazard of spread of imported fire ant. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from the regulated areas, may be moved from the regulated area and from the generally infested area into or through the eradication area, without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestation while in the regulated area in a manner satisfactory to an inspector and do not present a hazard of spread of the imported fire ant. Otherwise, such regulated articles shall be subject to all applicable requirements under this subpart for articles originating in the regulated area.

(b) **Articles determined to present hazards:** When it has been determined by an inspector that, due to contamination with the imported fire

ant, or any other reason, a hazard of spread of the ant is presented by any products or articles of any character whatsoever, not covered in paragraph (a) notice of such fact shall be given to the person having custody thereof. Thereafter, such contaminated products and articles may be moved from the regulated area into or through any point outside thereof, or from the generally infested area into or through the eradication area, only after they have been cleaned, treated, or otherwise disinfected to the satisfaction of the inspector or when they are moving under limited permit as required by the inspector.

**5. USE OF CERTIFICATES OR LIMITED PERMITS WITH SHIPMENTS:** Every container of regulated articles, or if there is none the article itself, required to have a certificate or limited permit shall have certificate or permit securely attached to the outside thereof, when offered for movement, except that where the regulated articles are adequately described to the U. S. Department of Agriculture.

**9. CANCELLATION OF CERTIFICATES OR LIMITED PERMITS:** Certificates or limited permits for any regulated articles under these regulations may be withdrawn or cancelled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of the imported fire ant.

**10. RIGHT TO INSPECT—PENALTIES:** Any properly identified inspector of the South Carolina State Crop Pest Commission is authorized to inspect, without warrant, any property or article, upon probable cause to believe an infestation of imported fire ant may be present. Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of the imported fire ant, which may occur on their property under the direction of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by the South Carolina State Crop Pest Commission Act of 1912.

**11. WAIVER OF LIABILITY:** The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of imported fire ant after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated, sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

#### **Witchweed Quarantine**

Revised November 15, 1962

(Filed in the office of the Secretary of State May 9, 1963)

The fact has been determined that a destructive parasitic plant pest known as Witchweed (*Striga* sp.), has been found in certain areas of

South Carolina and North Carolina, but is not known to be widely distributed in either state nor to occur in any other state. In order to prevent the further spread of this pest in South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **PEST:** Witchweed (parasitic plants of the genus *Striga*, and any reproductive parts thereof, including seed).

2. **QUARANTINED AREAS:**

**Chesterfield County.** The Alton Holdbrook farm located on the north side of State Secondary Highway 22 and 1.5 miles east of its intersection with State Secondary Highway 20.

The Elise J. Parker farm located on the south side of State Secondary Highway 61 and 0.1 mile east of its intersection with State Secondary Highway 348.

**Clarendon County.** The J. W. Hodge farm located on the south side of State Secondary Highway 211 and 1.9 miles south and west of its junction with U. S. Highway 521 at Foreston.

**Darlington County.** That area bounded by a line beginning at a point where the Great Pee Dee River and the Darlington-Florence County line join and extending southwest along said county line to its intersection with State Secondary Highway 173, thence northwest along said highway to its junction with State Secondary Highway 228, thence northwest along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to its intersection with State Secondary Highway 29, thence east along said highway to its intersection with Hurricane Branch, thence northeast along said branch to its junction with Byrds Island, thence along the west and south boundary of Byrds Island to its junction with the Great Pee Dee River, thence south along said river to the point of beginning.

The Mrs. Minnie W. Ham farm located on both sides of State Secondary Highway 355 and 0.9 mile west of the junction of said highway with State Secondary Highway 44.

The Jessie K. Jordan farm located on the west side of a dirt road and 0.2 mile northeast of its junction with a second dirt road, said junction being 0.1 mile northeast of the junction of said second dirt road and State Secondary Highway 44, said second junction being 0.3 mile northeast of the junction of said highway and State Primary Highway 403.

**Dillon County.** All of Dillon County.

**Florence County.** That area bounded by a line beginning at a point where U. S. Highway 76 and the Great Pee Dee River intersect and extending south along said river to its junction with Bigham Branch, thence west along said branch to its intersection with State Secondary Highway 88, thence west along said highway to its junction with State Secondary

Highway 132, thence northwest along said highway to its intersection with State Secondary Highway 105, thence south along said highway to its intersection with the corporate limits of the town of Hyman, thence south along the west perimeter of said corporate limits to its intersection with State Primary Highway 51, thence northwest along said highway to its intersection with State Primary Highway 327, thence west along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to its intersection with Middle Swamp, thence northeast along said swamp to its junction with Jeffries Creek, thence east along said creek to its intersection with the Seaboard Air Line Railroad, thence northwest along said railroad to its junction with State Secondary Highway 97, thence northeast along said highway to its junction with U. S. Highway 76, thence east along said highway to its junction with State Secondary Highway 925, thence north along said highway to its junction with State Secondary Highway 24, thence east and southeast along said highway to its intersection with U. S. Highway 76, thence east along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State Secondary Highway 46, thence northeast along said highway to its intersection with State Secondary Highway 34, thence southeast along said highway to its junction with State Secondary Highway 360, thence northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of the junction of State Secondary Highways 34 and 360, thence southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, thence southwest along said dirt road to its junction with State Secondary Highway 34, thence south along said highway to its junction with U. S. Highway 378, thence west along said highway to its junction with State Secondary Highway 47, thence northwest and west along said highway to the corporate limits of the town of Scranton, thence north and west along the east and north perimeter of said corporate limits to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the corporate limits of the town of Coward, thence north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, thence northeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and State Primary Highway 51 intersect and extending south-east along State Primary Highway 51 to its intersection with Little Swamp, thence northeast along said swamp for a distance of 1.2 miles to its intersection with a dirt road, thence southeast along said dirt road to its intersection with Deep Creek, thence southwest along said creek to its junction with Lynches River, thence west along said river to its intersection with State Primary Highway 905, thence west along said highway to its junction with State Secondary Highway 66, thence north and northeast along said highway to the point of beginning, excluding all of the corporate limits of the town of Salem.

The A. A. Alford farm located on both sides of State Secondary Highway 164 and 0.1 mile south of its intersection with Cypress Branch.

The Hattie Carroway farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U. S. Highway 52.

The S. L. Yarborough farm located on both sides of State Secondary Highway 95 and 1.7 miles southeast of Sardis.

**Horry County.** That area bounded by a line beginning at a point where U. S. Highway 701 crosses the South Carolina-North Carolina State line and extending south along said highway to its intersection with State Primary Highway 9, thence east and southeast along said highway to its junction with State Primary Highway 905, thence west along said highway to its junction with State Secondary Highway 31, thence south along said highway to its intersection with the Waccamaw River, thence westward along said river to its intersection with U. S. Highway 501, thence northwest along said highway to its intersection with the Little Pee Dee River, thence northeast along said river to its junction with the Lumber River, thence northeast along said river to its intersection with the South Carolina-North Carolina State line, thence southeast along said state line to the point of beginning, excluding the corporate limits of the towns of Aynor, Conway, and Loris.

The Alex Alford farm located on the south side of a dirt road and being 2 miles southwest and west of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The John A. Atkinson farm located on the east side of a dirt road and being 1 mile north of the junction of said dirt road with U. S. Highway 378 and State Secondary Highway 63.

The Canal Wood Corporation farm located on the west side of a dirt road and 0.75 mile south of its junction with State Primary Highway 90, said junction being 1.25 miles west of the junction of said highway and State Secondary Highway 57.

The Ben Edge farm located on the south side of State Primary Highway 90 and at the junction of said highway and State Secondary Highway 31.

The Jennie Bell Fowler farm located at the end of a farm road which junctions with a county road, said junction being 0.5 mile east of the Oakdale Baptist Church.

The Sumpter Gore farm located on both sides of a dirt road and 0.75 mile north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Bud Neals Graham farm located at the end of a dirt road and 0.6 mile east of the junction with a second dirt road, said junction being 0.75 mile south of the junction of the second dirt road and State Secondary Highway 78, said second junction being 0.75 mile southeast of Juniper Bay Church.

The Rosetta Inman farm located on the northwest side of a junction of two dirt roads, said junction being 1.4 miles northwest of the intersection

of the dirt road running northwest from State Secondary Highway 57 and Brooksville.

The J. T. Lewis farm located on the south side of State Secondary Highway 100, and 1.9 miles west of the junction of said highway and U. S. Highway 501, said junction being at Aynor.

The Tommy Lewis farm located on both sides of State Secondary Highway 50, and 1.6 miles north of the intersection of State Secondary Highway 50 and U. S. Highway 17, said intersection being at Little River.

The Cordle Page farm located on the north side of State Secondary Highway 128 and 0.4 mile west of the junction of said highway and U. S. Highway 501, said junction being at Aynor.

The Talmage Richardson farm located on the north side of a dirt road and 1 mile southwest of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

**Lee County.** The Clark W. Thomas farm located on the north side of State Secondary Highway 168 and 1.1 miles east of its junction with State Primary Highway 58.

**Marion County.** That area bounded by a line beginning at a point where the Marion-Dillon County line and the Lumber River join and extending southwest along said river to its junction with Little Pee Dee River, thence southwest along said river to its junction with Reedy Creek, thence northwest along said creek to its intersection with State Primary Highway 41, thence northeast along said highway to its junction with State Secondary Highway 33, thence west along said highway to its intersection with State Primary Highway 41A, thence north along said highway to its junction with U. S. Highway 501, thence northwest along said highway to its intersection with U. S. Highway 76, thence west along said highway to its junction with State Secondary Highway 64, thence due southwest along a line projected from said intersection to the Marion-Florence County line, thence northwest and north along said county line to its junction with the Marion-Dillon County line, thence north and northeast and southeast along said county line to the point of beginning, excluding all the corporate limits of the towns of Marion, Mullins, Nichols, Rains, and Sellers, except the W. P. Clark farm located on Marion Street in the town of Mullins one block south of the Mullins Armory, and the Harry Sellers farm located on the west side of U. S. Highway 301 in the town of Sellers.

That area bounded by a line beginning at a point where State Secondary Highway 9 and State Secondary Highway 40 junction and extending southeast along State Secondary Highway 40 to its junction with State Secondary Highway 47, thence southwest along said highway to its junction with State Secondary Highway 9, thence south along said highway to its junction with U. S. Highway 378, thence southwest along said highway to its intersection with the Great Pee Dee River, thence northwest along said river to its junction with Catfish Creek, thence north along said creek to its junction with Collins Creek, thence east and southeast along said creek to its junction with State Secondary Highway 9, thence southwest along said highway to the point of beginning.

That area bounded by a line beginning at a point where U. S. Highway 378 and State Secondary Highway 86 junction and extending north along State Secondary Highway 86 for 0.4 mile to its intersection with a stream, thence east along said stream to its junction with the Little Pee Dee River, thence south along said river to its junction with the Sampson Landing Road, thence west along said road to its junction with State Secondary Highway 49, thence northwest along said highway to its junction with U. S. Highway 378, thence southeast along said highway to the point of beginning.

The William Davis farm located on the northeast side of a dirt road and 1.5 miles southeast of its junction with State Secondary Highway 9, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 40.

The Earl and John Dozier farm located at the end of a dirt road which extends 5.5 miles in a west, southwest, and then in a southeastward direction from its junction with State Secondary Highways 248 and 25.

The Louise Miles farm located on the northwest side of a dirt road, 0.4 mile southwest of the junction of said road with State Primary Highway 41A, said junction being 1 mile north of the junction of said highway and State Secondary Highway 389.

The Paul M. Richardson farm located on the southeast side of State Secondary Highway 207 and 1.1 miles southwest of the junction of said highway with State Primary Highway 908.

The Paul J. Richardson farm (The Paul J. Richardson Estate) located on the northwest side of State Secondary Highway 207 and 1 mile southwest of the junction of said highway with State Primary Highway 908.

**Marlboro County.** That portion of the county lying south and east of U. S. Highway 15, excluding the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The C. C. Caulk farm located on the east side of State Secondary Highway 283 and 0.3 mile east of the junction of said highway and State Primary Highway 38.

The Graham Lee Chavis farm located between State Secondary Highways 204 and 209 at their junction with State Secondary Highway 30.

The Hossie Conwell Farm located on both sides of a dirt road and 1.3 miles northeast from the junction of said dirt road and State Secondary Highway 30, said junction being 0.5 mile northwest from the intersection of said State Secondary Highway 30 and State Secondary Highway 165.

The Lois P. Hamer farm located on both sides of a dirt road 0.1 mile north of the junction of said dirt road and U. S. Highway 15, said junction being 0.1 mile northwest of the intersection of U. S. Highway 15 and State Secondary Highway 22 at Tatum.

The Lula McEachern farm located on the north side of U. S. Highway 15 at the intersection of said highway and the South Carolina-North Carolina State line.

The Cleveland McKay farm located on the north side of State Secondary Highway 54 and the west side of State Secondary Highway 30 at the intersection of said highways.

The Tony Rosser farm located on the east side of a dirt road and 0.6 mile northeast of the junction of said dirt road and State Secondary Highway 30, said junction being 0.3 mile north of said highway and State Secondary Highway 54.

The Pauline Steel farm located on the north side of State Secondary Highway 63 and the east side of Crooked Creek at the intersection of said highway and creek.

The Marvin Strong farm located on the south side of the South Carolina-North Carolina State line and 1.3 miles east of its junction with State Primary Highway 77.

**Williamsburg County.** The S. Wayne Gamble farm located on both sides of State Primary Highway 375 and 2 miles southeast of its intersection with U. S. Highway 52.

**Other Areas.** Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

**3. WITCHWEED—CONDITIONS OF MOVEMENT.** Witchweeds may be moved from the State of South Carolina only if such movement is made for scientific purposes and when in accordance with regulations outlined in the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

**4. REGULATED ARTICLES—CONDITIONS OF MOVEMENT.**

(a) **Designated articles**—Unless exempted by administrative instructions the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture and its applicable requirements; soil, separately or with other things; nursery stock and other plants with roots attached; true bulbs, corms, rhizomes and tubers, root crops; hay, straw, fodder and plant litter of any kind; seed cotton; tobacco, peanuts in shells; ear corn; soybeans; small grains; used farm tools, implements and harvesting machines; used construction and maintenance equipment; and used crates, boxes, burlap bags, and cotton picking sacks, and other used farm products containers. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from a regulated area may be moved from such regulated area into or through any point outside of the regulated areas without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestations while in the regulated areas in a manner satisfactory to an inspector and do not present a hazard of spread of witchweed. Otherwise such regulated articles shall be subject to all applicable requirements for articles originating in the regulated areas.

(b) **Articles determined to present hazards.** When it has been determined by an inspector that, due to contamination with witchweed, a hazard of spread of witchweed is presented by any farm products, farm equipment, processing machinery, trucks, wagons, railway cars, aircrafts, boats, other means of conveyance, or unlimited by the foregoing, any other products or articles of any character whatsoever, not covered in paragraph (a), notice of such fact shall be given to the person having custody thereof. Thereafter, except as exempted in administrative instructions, such contaminated articles may be moved from any regulated area into or through any point outside of the regulated area only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture.

#### **5. CERTIFICATES, PERMITS, ETC.**

(a) The methods and conditions of certification of articles and products, and issuance of certificates, and permits shall be governed by the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

(b) Certificates may be issued by the inspector for the movement of the regulated articles under any of the following conditions:

(1) When in the judgment of the inspectors, they have not been exposed to infestation.

(2) When they have been examined by the inspector and found to be free of infestation.

(3) When they have been treated to destroy witchweed under the observation of the inspector and in accordance with methods selected by him administratively authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, manufactured, stored or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(5) **Limited permits.** Limited permits may be issued by the inspector for the movement of non-certified regulated articles to specified destinations for limited handling, utilization or processing, or for treatment.

(6) **Dealer-carrier agreement.** As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

#### **6. EXEMPTION OF CERTAIN ARTICLES FROM SPECIFIED REGULATIONS.**

(a) It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations which

make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area, as hereinafter provided. The following articles are hereby exempted from the requirements under the conditions set forth hereinafter:

(1) Root crops, such as turnips, carrots, and sweet potatoes, when moving to a designated processing plant, or when washed free of soil and thereafter protected from infestation to the satisfaction of the inspector.

(2) Seed cotton when moving to a designated gin.

(3) Tobacco when moving to a designated warehouse or storage facility.

(4) Soybeans if the beans and any containers for the beans did not come in contact with the soil during harvesting and if the beans are moving forthwith to a designated oil mill or storage facility for crushing or uses other than planting.

(5) Small grains if the grain and any containers for the grain did not come in contact with the soil during harvesting and if the grain is moving forthwith to a designated storage facility for uses other than planting.

(6) Ear corn when harvested from stalk and placed, without coming in contact with the soil, in a wagon or truck for direct transportation to storage or other handling facility.

(7) Used farm tools and implements when washed, steam cleaned or air cleaned, and thereafter protected from infestation to the satisfaction of the inspector. (This exemption does not apply to mechanical cotton or corn pickers, combines, or hay balers or to cotton picking sacks.)

(b) Information as to designated processing plants, oil mills, warehouses, storage and handling facilities, and gins may be obtained from the inspector.

#### 7. WAIVER OF LIABILITY.

The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of witchweed after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated, sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

#### 8. PENALTIES.

Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of witchweed which may occur on their property under the direction of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111 of the 1962 Code.

Revised June 15, 1963

(Filed in the office of the Secretary of State June 28, 1963)

1. **PEST:** Witchweed (parasitic plants of the genus *Striga*, and any reproductive parts thereof, including seed).

## 2. QUARANTINED AREAS:

**Chesterfield County.** The Alton Holdbrook farm located on the north side of State Secondary Highway 22 and 1.5 miles east of its intersection with State Secondary Highway 20.

The Elise J. Parker farm located on the south side of State Secondary Highway 61 and 0.1 mile east of its intersection with State Secondary Highway 348.

**Clarendon County.** The J. W. Hodge farm located on the south side of State Secondary Highway 211 and 1.9 miles south and west of its junction with U. S. Highway 521 at Foreston.

**Darlington County.** That area bounded by a line beginning at a point where the Atlantic Coast Line Railroad and State Secondary Highway 29 intersect and extending east along said highway to its intersection with Hurricane Branch, thence northeast along said branch to its junction with Byrds Island, thence south along a line projected due south from said junction to the intersection of the projected line and State Primary Highway 34, thence west along said highway to its intersection with a dirt road, said intersection being 0.9 mile east of Mechanicsville, thence south along said dirt road to its intersection with the Darlington-Florence County line, thence west and south along said county line to its intersection with State Secondary Highway 173, thence northwest along said highway to its junction with State Secondary Highway 228, thence northwest along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the point of beginning.

The County Prison Farm located on the south side of State Primary Highway 34 and 1 mile west of the junction of said highway and State Secondary Highway 42.

The M. L. Green farm located on the east side of State Secondary Highway 133 and 0.1 mile north of the junction of said highway and State Secondary Highway 29.

The Mrs. Minnie W. Ham farm located on both sides of State Secondary Highway 355 and 0.9 mile west of the junction of said highway with State Secondary Highway 44.

The Jessie K. Jordan farm located on the west side of a dirt road and 0.2 mile northeast of its junction with a second dirt road, said junction being 0.1 mile northeast of the junction of said second dirt road and State Secondary Highway 44, said second junction being 0.3 mile northeast of the junction of said highway and State Primary Highway 403.

**Dillon County.** All of Dillon County.

**Florence County.** That area bounded by a line beginning at a point where State Secondary Highway 925 and State Secondary Highway 24 junction and extending east and southeast along State Secondary Highway 24 to its junction with State Secondary Highway 13, thence along a line projected due east from said junction to its intersection with the Great Pee Dee River, thence south along said river to its junction with Jeffries Creek, thence northwest and west along said creek to its intersection with State Primary Highway 327, thence south along said highway to its

intersection with Willow Creek, thence southwest along said creek to its junction with Cypress Creek, thence south and west along said creek to its intersection with State Primary Highway 51, thence north along said highway to its intersection with State Primary Highway 327, thence northwest and west along said highway to its intersection with a dirt road, said intersection being 1.5 miles west of the intersection of State Primary Highway 51 and State Primary Highway 327, thence northwest along said dirt road to its junction with a second dirt road, said junction being 0.1 mile east of Goodland School, thence northeast along said second dirt road to its junction with State Secondary Highway 57, thence southeast along said highway to its intersection with the Seaboard Air Line Railroad, thence northwest along said railroad to its junction with State Secondary Highway 13, thence east along said highway to its junction with State Secondary Highway 918, thence north and northeast along said highway to its junction with State Primary Highway 327, thence north along said highway to its intersection with U. S. Highway 76, thence west along said highway to its junction with State Secondary Highway 925, thence north along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State Secondary Highway 46, thence northeast along said highway to its intersection with State Secondary Highway 34, thence southeast along said highway to its junction with State Secondary Highway 360, thence northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of the junction of State Secondary Highways 34 and 360, thence southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, thence southwest along said dirt road to its junction with State Secondary Highway 34, thence south along said highway to its junction with U. S. Highway 378, thence west along said highway to its junction with State Secondary Highway 47, thence northwest and west along said highway to the corporate limits of the town of Scranton, thence north and west along the east and north perimeter of said corporate limits to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the corporate limits of the town of Coward, thence north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, thence northeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and the Seaboard Air Line Railroad intersect and extending southeast along said railroad to its intersection with State Secondary Highway 57, thence south along said highway to its junction with U. S. Highway 378, thence west along said highway to its intersection with Deep Creek, thence southwest along said creek to its junction with Lynchess River, thence west along said river to its junction with Little Swamp, thence north along said swamp to its intersection with State Secondary Highway 66, thence east along said highway to the point of beginning.

The A. A. Alford farm located on both sides of State Secondary Highway 164 and 0.1 mile south of its intersection with Cypress Branch.

The Elnoreah Braddy farm located on the west side of State Secondary Highway 633 and 0.15 mile south of its intersection with State Secondary Highway 58.

The H. L. Broach farm located on the east side of a dirt road and 0.3 mile north of its junction with State Secondary Highway 132, said junction being 0.4 mile northwest of the intersection of State Secondary Highways 105 and 132.

The Hattie Carroway farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U. S. Highway 52.

The Juanita Floyd farm located on the north side of State Secondary Highway 24 and 0.2 mile west of its intersection with Jeffries Creek.

The L. J. Gause farm located on the south side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U. S. Highway 52.

The Luther Gause farm located on the north side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U. S. Highway 52.

The Henry Holliday farm located on the west side of State Primary Highway 51 and 1.6 miles north of its intersection with State Secondary Highway 66.

The Melvin Hyman farm located on the west side of State Secondary Highway 64 and 0.2 mile north of its intersection with Black Creek.

The Roland Jeffords farm located on the west side of a dirt road and 0.2 mile south of its junction with a second dirt road, said junction being 0.8 mile west of the intersection of said second dirt road and State Secondary Highway 105.

The Cal McAlister farm located on the west side of the junction of State Secondary Highway 57 and State Secondary Highway 105.

The R. F. McPherson farm located on the south side of State Secondary Highway 57 and 1.5 miles southeast of the intersection of said highway and State Primary Highway 51.

The V. A. Turner Farm located on the west side of State Secondary Highway 633 and 0.1 mile south of its junction with State Secondary Highway 58.

The S. L. Yarborough farm located on both sides of State Secondary Highway 95 and 1.7 miles southeast of Sardis.

**Horry County.** That area bounded by a line beginning at a point where State Secondary Highway 33 intersects the South Carolina-North Carolina State line and extending south along said highway to its intersection with State Secondary Highway 306, thence west along said highway to its intersection with State Secondary Highway 142, thence south along said highway to its junction with State Primary Highway 9, thence northwest along said highway to its intersection with State Secondary Highway 59, thence southwest and south along said highway to its junction with State Primary Highway 917, thence southwest along said highway to its inter-

section with State Secondary Highway 19, thence south and southeast along said Highway 19 to its intersection with U. S. Highway 701 at Allsbrook, thence northeast along said highway to its intersection with State Primary Highway 9, thence east along said highway for seven miles to its intersection with the west prong of Buck Creek and its junction with a dirt road, thence south along said dirt road to its junction with a second dirt road, thence southwest along second dirt road to its junction with State Secondary Highway 347, thence southeast along said highway 0.2 mile to its intersection with Cowpen Swamp, thence in a southerly direction along said swamp to its intersection with a dirt road, thence in a southeastern direction along said dirt road to its junction with State Primary Highway 905, thence southwest along said highway to its intersection with State Secondary Highway 31, thence south along said highway to its intersection with Waccamaw River, thence in a westerly direction along said river to its intersection with Stanley Creek, thence north along said creek 1.6 miles, thence in a northwesterly direction along said creek 2.8 miles, thence north along a line projected from a point beginning at the end of the main run of said creek, and extending north to the junction of said line with State Primary Highway 905, thence southwest along said highway to its junction with State Secondary Highway 19, thence north along said highway 2.4 miles to its junction with a dirt road, thence southwest along said road to its intersection with Maple Swamp, thence north along said swamp to its intersection with State Secondary Highway 65, thence southwest along said highway to its junction with U. S. Highway 701, thence south along said highway to its intersection with U. S. Highway 501, thence northwest along said highway 4.8 miles to its junction with a dirt road, thence north along said dirt road to its intersection with State Secondary Highway 97, thence east 0.2 mile to its intersection with a dirt road, thence north along said dirt road to its intersection with State Primary Highway 319, thence northwest along said highway to its junction with State Secondary Highway 131, thence east and north along said highway to its intersection with Loosing Swamp, thence west and northwest along said swamp to its intersection with State Secondary Highway 45, thence southwest along said highway to its junction with State Secondary Highway 129, thence northwest along said highway to its junction with U. S. Highway 501, thence northwest along said highway to its intersection with the Little Pee Dee River, thence northwest along said river to its junction with the Lumber River, thence northeast along said river to its intersection with the South Carolina-North Carolina State line, thence southeast along said state line to the point of beginning, excluding the corporate limits of the towns of Conway and Loris.

The Alex Alford farm located on the south side of a dirt road and being 2 miles southwest and west of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Henry Arnett and D. C. Arnett farm located on both sides of a dirt road and 2.5 miles east of its junction with State Secondary Highway

33, said junction being 2.5 miles north of the junction of said highway and State Primary Highway 410.

The John A. Atkinson farm located on the east side of a dirt road and being 1 mile north of the junction of said dirt road with U. S. Highway 378 and State Secondary Highway 63.

The Emma Brown farm located on both sides of a dirt road and being 0.5 mile northwest of the junction of said dirt road with State Secondary Highway 57, said junction being at Brooksville.

The Lewis Brown farm located on the north side of a dirt road and being 0.5 mile west of the junction of said dirt road and U. S. Highway 501, said junction being in the Brown Swamp Community.

The Canal Wood Corporation farm located on the west side of a dirt road and 0.75 mile south of its junction with State Primary Highway 90, said junction being 1.25 miles west of the junction of said highway and State Secondary Highway 57.

The James E. Cooper farm located on the south side of a dirt road and 0.5 mile east of its junction with State Secondary Highway 78, said junction being 1.25 miles northwest of the junction of said highway and U. S. Highway 378.

The Ben Edge farm located on the south side of State Primary Highway 90 and at the junction of said highway and State Secondary Highway 31.

The Nina L. Edge farm located on the west side of a dirt road and 0.8 mile southeast of its junction with a second dirt road, said junction being 0.5 mile south of the junction of the second dirt road and State Primary Highway 90, said second junction being 0.8 mile southwest of the junction of said highway and State Secondary Highway 31.

The Jennie Bell Fowler farm located at the end of a farm road which junctions with a county road, said junction being 0.5 mile east of the Oakdale Baptist Church.

The L. C. Frye farm located on the south side of a dirt road and 1 mile west of the junction of State Secondary Highways 24 and 62, said junction being in the Dog Bluff Community.

The Lawson Gore farm located on the north side of U. S. Highway 17 and 2.5 miles east of the intersection of said highway and State Primary Highway 9, said intersection being called Nixon's Crossroads.

The Sumpter Gore farm located on both sides of a dirt road and 0.75 mile north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Bud Neals Graham farm located at the end of a dirt road and 0.6 mile east of its junction with a second dirt road, said junction being 0.75 mile south of the junction of the second dirt road and State Secondary Highway 78, said second junction being 0.75 mile southeast of Juniper Bay Church.

The Rosetta Inman farm located on the northwest side of a junction of two dirt roads, said junction being 1.4 miles northwest of the intersection of the dirt road running northwest from State Secondary Highway 57 and Brooksville.

The J. E. Jordan farm located on the north side of a dirt road and being 0.7 mile west of the junction of said dirt road and U. S. Highway 501, said junction being in the Brown Swamp Community.

The Boyd Lewis farm located on the north side of a dirt road and 0.75 mile west of the intersection of said dirt road and State Secondary Highway 24, said intersection being in the Dog Bluff Community.

The J. T. Lewis farm located on the south side of State Secondary Highway 100, and 1.9 miles west of the junction of said highway and U. S. Highway 501, said junction being at Aynor.

The Tommy Lewis farm located on both sides of State Secondary Highway 50, and 1.6 miles north of the intersection of State Secondary Highway 50 and U. S. Highway 17, said intersection being at Little River.

The Cordie Page farm located on the north side of State Secondary Highway 128 and 0.4 mile west of the junction of said highway and U. S. Highway 501, said junction being at Aynor.

The Mattie C. Page farm located on the north side of a dirt road and 0.2 mile east of the junction of said dirt road and State Secondary Highway 129, said junction being 0.3 mile southeast of the intersection of said highway and State Secondary Highway 130.

The Talmage Richardson far located on the north side of a dirt road and 1 mile southwest of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The O. R. Shelley farm located on the east side of a dirt road and 0.8 mile northeast of the junction of said dirt road and State Secondary Highway 306, said junction being 1.1 miles west of the intersection of State Secondary Highway 306 and the South Carolina-North Carolina State line.

The Vide Williamson farm located on both sides of a dirt road and 0.4 mile from the junction of said dirt road and State Primary Highway 410, said junction being 0.7 mile northeast of the intersection of State Primary Highway 410 and State Secondary Highway 19.

**Lee County.** The Clark W. Thomas farm located on the north side of State Secondary Highway 168 and 1.1 miles east of its junction with State Primary Highway 58.

**Marion County.** That area bounded by a line beginning at a point where the Marion-Dillon County line and the Lumber River join and extending southwest along said river to its junction with Little Pee Dee River, thence southwest along said river to its junction with Reedy Creek, thence northwest along said creek to its intersection with State Primary Highway 41, thence northeast along said highway to its junction with State Secondary Highway 33, thence west along said highway to its intersection with State Primary Highway 41A, thence north along said highway to its junction with U. S. Highway 501, thence northwest along said highway to its intersection with U. S. Highway 76, thence west along said highway to its junction with State Secondary Highway 64, thence due southwest along a line projected from said intersection to the Marion-Florence County line, thence northwest and north along said county line to its junction with the

Marion-Dillon County line, thence north and northeast and southeast along said county line to the point of beginning, excluding all the corporate limits of the towns of Marion, Mullins, Nichols, Rains, and Sellers, except the W. P. Clark farm, located on Marion Street in the town of Mullins one block south of the Mullins Armory, and the Harry Sellers farm located on the west side of U. S. Highway 301 in the town of Sellers.

That area bounded by a line beginning at a point where State Secondary Highway 9 and State Secondary Highway 40 junction and extending southeast along State Secondary Highway 40 to its junction with State Secondary Highway 47, thence southwest along said highway to its junction with State Secondary Highway 9, thence south along said highway to its junction with U. S. Highway 378, thence southwest along said highway to its intersection with the Great Pee Dee River, thence northwest along said river to its junction with Catfish Creek, thence north along said creek to its junction with Collins Creek, thence east and southeast along said creek to its junction with State Secondary Highway 9, thence southwest along said highway to the point of beginning.

That area bounded by a line beginning at a point where U. S. Highway 378 and State Secondary Highway 86 junction and extending north along State Secondary Highway 86 for 0.4 mile to its intersection with a stream, thence east along said stream to its junction with the Little Pee Dee River, thence south along said river to its junction with the Sampson Landing Road, thence west along said road to its junction with State Secondary Highway 49, thence northwest along said highway to its junction with U. S. Highway 378, thence southeast along said highway to the point of beginning.

The W. J. Atkinson farm located at the end of a dirt road and 0.4 mile southeast of its junction with State Secondary Highway 9, said junction being 2.85 miles southwest of the junction of State Secondary Highway 9 and State Primary Highway 41A.

The William Davis farm located on the northeast side of a dirt road and 1.5 miles southeast of its junction with State Secondary Highway 9, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 40.

The Earl and John Dozier farm located at the end of a dirt road which extends 5.5 miles in a west, southwest, and then in a southeastward direction from its junction with State Secondary Highways 248 and 25.

The Louise Miles farm located on the northwest side of a dirt road, 0.4 mile southwest of the junction of said road with State Primary Highway 41A, said junction being 1 mile north of the junction of said highway and State Secondary Highway 389.

The J. L. Richardson farm located on the west side of State Secondary Highway 86, 3 miles north of the junction of State Secondary Highway 86 and U. S. Highway 378.

The Paul M. Richardson farm located on the southeast side of State Secondary Highway 207 and 1.1 miles southwest of the junction of said highway with State Primary Highway 908.

The Paul J. Richardson farm (The Paul J. Richardson Estate) located on the northwest side of State Secondary Highway 207 and 1 mile southwest of the junction of said highway with State Primary Highway 908.

The A. M. Rose and Lucile R. Deal (Roses Evergreen Farm) farm located at the south end of State Secondary Highway 65, and 2 miles southwest of the junction of said highway and U. S. Highway 501.

**Marlboro County.** That portion of the county lying south and east of U. S. Highway 15, excluding the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The C. C. Caulk farm located on the east side of State Secondary Highway 283 and 0.3 mile east of the junction of said highway and State Primary Highway 38.

The Graham Lee Chavis farm located between State Secondary Highways 204 and 209 at their junction with State Secondary Highway 30.

The Hossie Conwell farm located on both sides of a dirt road and 1.3 miles northeast from the junction of said dirt road and State Secondary Highway 30, said junction being 0.5 mile northwest from the intersection of said State Secondary Highway 30 and State Secondary Highway 165.

The Oscar J. Fletcher farm located on the southwest side of State Secondary Highway 28 and 0.6 mile northwest of the junction of said highway and U. S. Highway 15.

The Lois P. Hamer farm located on both sides of a dirt road 0.1 mile north of the junction of said dirt road and U. S. Highway 15, said junction being 0.1 mile northwest of the intersection of U. S. Highway 15 and State Secondary Highway 22 at Tatum.

The James Joseph farm located on the southeast side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The Lula McEachern farm located on the north side of U. S. Highway 15 at the intersection of said highway and the South Carolina-North Carolina State line.

The Cleveland McKay farm located on the north side of State Secondary Highway 54 and the west side of State Secondary Highway 30 at the intersection of said highways.

The Ina Odom farm located on the northwest side of a dirt road and 0.4 mile northeast of its junction with State Secondary Highway 30, said junction being 0.3 mile northeast of the intersection of said highway and State Secondary Highway 54.

The D. M. Parker farm located on the northeast side of State Secondary Highway 28 and 0.2 mile northwest of its junction with U. S. Highway 15.

The D. C. Rainwater farm located on the west side of State Primary Highway 79 at the junction of said highway and State Secondary Highway 345.

The Tony Rosser farm located on the east side of a dirt road and 0.6 mile northeast of the junction of said dirt road and State Secondary Highway 30, said junction being 0.3 mile north of the junction of said highway and State Secondary Highway 54.

The James Tyson Smith farm located on the northwest side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The Pauline Steel farm located on the north side of State Secondary Highway 63 and the east side of Crooked Creek at the intersection of said highway and creek.

The Marvin Strong farm located on the south side of the South Carolina-North Carolina State line and 1.3 miles east of its junction with State Primary Highway 77.

**Williamsburg County.** The S. Wayne Gamble farm located on both sides of State Primary Highway 375 and 2 miles southeast of its intersection with U. S. Highway 52.

**Other Areas.** Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

**3. WITCHWEED—CONDITIONS OF MOVEMENT.** Witchweeds may be moved from the State of South Carolina only if such movement is made for scientific purposes and when in accordance with regulations outlined in the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

**4. REGULATED ARTICLES—CONDITIONS OF MOVEMENT.**

(a) **Designated articles**—Unless exempted by administrative instructions the following may be moved from any regulated area into or through any point outside of the regulated areas only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture and its applicable requirements; soil, separately or with other things; nursery stock and other plants with roots attached; true bulbs, corms, rhizomes and tubers, root crops; hay, straw, fodder and plant litter of any kind; seed cotton; tobacco, peanuts in shells; ear corn; soybeans; small grains; used farm tools, implements and harvesting machines; used construction and maintenance equipment; and used crates, boxes, burlap bags, and cotton picking sacks, and other used farm products containers. However, regulated articles of kinds within this paragraph which originate outside of the regulated areas and are moving through or are being reshipped from a regulated area may be moved from such regulated area into or through any point outside of the regulated areas without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained, and when they have been safeguarded against infestations while in the regulated areas in a manner satisfactory to an inspector and do not present a hazard of spread of witchweed. Otherwise such regulated articles shall be subject to all applicable requirements for articles originating in the regulated areas.

(b) **Articles determined to present hazards.** When it has been determined by an inspector that, due to contamination with witchweed, a hazard of

spread of witchweed is presented by any farm products, farm equipment, processing machinery trucks, wagons, railway cars, aircrafts, boats, other means of conveyance, or unlimited by the foregoing, any other products or articles of any character whatsoever, not covered in paragraph (a), notice of such fact shall be given to the person having custody thereof. Thereafter, except as exempted in administrative instructions, such contaminated articles may be moved from any regulated area into or through any point outside of the regulated area only if accompanied by a valid certificate or limited permit issued in compliance with the Witchweed Quarantine of the United States Department of Agriculture.

#### 5. CERTIFICATES, PERMITS, ETC.

(a) The methods and conditions of certification of articles and products, and issuance of certificates, and permits shall be governed by the regulations of the Witchweed Quarantine of the United States Department of Agriculture.

(b) Certificates may be issued by the inspector for the movement of the regulated articles under any of the following conditions:

(1) When in the judgment of the inspectors, they have not been exposed to infestation.

(2) When they have been examined by the inspector and found to be free of infestation.

(3) When they have been treated to destroy witchweed under the observation of the inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, manufactured, stored or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(5) **Limited permits.** Limited permits may be issued by the inspector for the movement of non-certified regulated articles to specified destinations for limited handling, utilization or processing, or for treatment.

(6) **Dealer-carrier agreement.** As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will remain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

#### 6. EXEMPTION OF CERTAIN ARTICLES FROM SPECIFIED REGULATIONS.

(a) It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area,

as hereinafter provided. The following articles are hereby exempted from the requirements under the conditions set forth hereinafter:

(1) Root crops, such as turnips, carrots, and sweet potatoes, when moving to a designated processing plant, or when washed free of soil and thereafter protected from infestation to the satisfaction of the inspector.

(2) Seed cotton when moving to a designated gin.

(3) Tobacco when moving to a designated warehouse or storage facility.

(4) Soybeans if the beans and any containers for the beans did not come in contact with the soil during harvesting and if the beans are moving forthwith to a designated oil mill or storage facility for crushing or uses other than planting.

(5) Small grains if the grain and any containers for the grain did not come in contact with the soil during harvesting and if the grain is moving forthwith to a designated storage facility for uses other than planting.

(6) Ear corn when harvested from stalk and placed, without coming in contact with the soil, in a wagon or truck for direct transportation to storage or other handling facility.

(7) Used farm tools and implements when washed, steam cleaned or air cleaned, and thereafter protected from infestation to the satisfaction of the inspector. (This exemption does not apply to mechanical cotton or corn pickers, combines, or hay balers or to cotton picking sacks.)

(b) Information as to designated processing plants, oil mills, warehouses, storage and handling facilities, and gins may be obtained from the inspector.

#### **7. WAIVER OF LIABILITY.**

The South Carolina State Crop Pest Commission or its inspectors will not be responsible in any way for the death of livestock feeding on plants treated for the control of witchweed after notice has been given by the South Carolina State Crop Pest Commission or its authorized inspectors that such areas are to be treated. The South Carolina State Crop Pest Commission or its inspectors will not be responsible for any loss to regulated articles treated, fumigated, sterilized, or processed under methods approved by the South Carolina State Crop Pest Commission.

#### **8. PENALTIES.**

Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of witchweed which may occur on their property under the direction of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111 of the 1962 Code.

#### **Japanese Beetle Quarantine**

Revised June 15, 1963

(Filed in the office of the Secretary of State June 28, 1963)

The fact has been determined that a destructive insect pest known as the Japanese Beetle has been found in certain areas in the State of South

Carolina. In order to prevent the further spread of this insect in South Carolina, the State Crop Pest Commission hereby establishes a quarantine setting forth the name of the pest against which the quarantine is established, the regulated areas and the regulated articles, specifying the conditions governing shipments and the issuance of certificates or permits under which the regulated articles may be shipped.

1. **PEST**—Japanese Beetle (*Popillia japonica* Newn.), in any stage of development.

2. **DEFINITION OF TERMS**—For the purpose of this quarantine the following words, names, and terms shall be construed, respectively, to mean:

a. Japanese Beetle—The insect known as Japanese beetle (*Popillia japonica* Newn.), in any stage of development.

b. Infestation—This term refers to the presence of Japanese beetle.

c. Generally Infested Area—Those areas where Japanese beetle infestations are so widespread that control or eradication measures are not practicable with available facilities. Movement of materials from these areas is regulated to prevent spread of the pest to non-infested areas.

d. Non-infested Premises, Establishments, or Areas—That portion of the regulated areas in which no infestation exists, or in the vicinity of which no infestation is known to exist under such conditions as to expose it to infestation by natural spread of beetles, as determined by an inspector.

e. Regulated Articles—Soil, and other articles and products, and means of conveyance, the movement of which is regulated by the Japanese beetle quarantine.

f. Soil-free, Free from Soil—Devoid of soil in quantities sufficient to harbor immature stages of the Japanese beetle.

g. Inspector—An inspector of the South Carolina State Crop Pest Commission or United States Department of Agriculture, Plant Pest Control Division.

h. Certificate—A valid form evidencing compliance with the requirements of these regulations.

### 3. REGULATED AREAS—

A. Generally Infested Areas—Entire counties of: Aiken, Cherokee, Dillon, Florence, Lexington, Greenville, Marlboro, Oconee, Pickens, Richland and Spartanburg.

B. Other Areas—Any other area in the State of South Carolina found to be infested. Such areas to become immediately subject to the regulations of this quarantine when so declared by the State Entomologist of the South Carolina State Crop Pest Commission through the publication of a notice to that effect in the local newspapers, or through direct written notice to those concerned.

### 4. REGULATED ARTICLES—

A. Unless exempted and except as otherwise provided, the intrastate movement of the following articles from regulated areas to points outside the regulated area is subject to the regulations of this quarantine.

- a. Soil, humus, compost and decomposing manure.
- b. Forest, field, nursery, or greenhouse grown woody or herbaceous plants with roots.
- c. Grass sod.
- d. Plant crowns or roots for propagation.
- e. True bulbs, corms, tubers and rhizomes of ornamental plants, when freshly harvested or uncured.
- f. Other farm products and trucks, wagons, railway cars, aircraft, boats and other means of conveyance and unlimited by the foregoing, any other article and products of any character whatsoever not covered by a.-e. of this paragraph when it is determined in accordance with the regulations that they present a hazard of spread of Japanese beetle.

#### 5. ARTICLES EXEMPT FROM CERTIFICATION—

A. The following articles are exempted from the requirements of paragraph 4 under the conditions set forth herein.

- a. Humus, compost, and decomposed manure, when dehydrated, ground, pulverized, or compressed.
- b. True bulbs, corms, and tubers (other than dahlia tubers), when dormant, except for storage growth, and when free from soil.
- c. Single dahlia tubers or small dahlia root-divisions when free from stems, cavities, and soil. (Dahlia tubers, other than single tubers or small root-divisions meeting these conditions, are not exempted and must comply with the regulations regarding regulated articles.)
- d. Plants when growing exclusively in *Osmunda* fiber or chipped or shredded bark.
- e. Trailing arbutus or Mayflower (*Epigaea repens*), when free from soil.
- f. Moss, clubmoss, and ground-pine or running-pine, when free of soil.
- g. Soil-free aquatic plants.
- h. Soil-free sweet potato draws.
- i. Soil-free rooted cuttings, which, at the time of shipment, have not developed a root system sufficient to conceal larvae of the Japanese beetle.

#### 6. CONDITIONS GOVERNING INTRASTATE MOVEMENT OF REGULATED ARTICLES—

a. Except as provided in paragraph 7 regulated articles shall not be moved intrastate from the regulated areas as specified to points outside the regulated areas, unless a certificate shall have been issued in compliance with paragraph 7.

b. Marking—Every container of articles, the intrastate movement of which is restricted as provided in paragraph 4, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside a valid certificate issued in compliance with these regulations: Provided, that (1) in the case of lot freight shipments other than by road vehicle, a certificate attached to one of the containers and another certificate attached to the waybill will be sufficient, and carlot freight or express shipments, either in containers or in bulk, require a certificate attached to

the waybill; (2) in the case of shipment by road vehicle, the certificate shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

c. Articles originating outside the regulated area—No certificates are required for the intrastate movement of restricted articles originating outside the regulated areas and moving through or reshipped from a regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles are safeguarded against infestation while in the regulated areas.

#### **7. CONDITIONS GOVERNING THE ISSUANCE OF CERTIFICATES—**

a. Certification of regulated articles. Certificates may be issued for the movement of the regulated articles under any one of the following conditions:

- (1) When, in the judgment of the inspector, they have not been exposed to infestation.
- (2) When they have been examined by an inspector and found to be free of infestation.
- (3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

b. Safeguards against reinfestation—Subsequent to certification, as provided in paragraph a. of this section, the regulated articles must be loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

#### **8. ASSEMBLY OF RESTRICTED ARTICLES FOR INSPECTION—**

Persons intending to move intrastate any of the articles restricted by these regulations shall make application for inspection as far in advance as possible and will be required to prepare, handle, and safeguard such materials from infestation, and to assemble them at such points as the inspector shall designate, placing them so that inspection may be readily made. All costs including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

#### **9. CANCELLATION OF CERTIFICATES—**

Certificates issued under these regulations may be withdrawn or cancelled by the inspector and further certification refused whenever the further use of such certificates might result in the dissemination of infestation.

#### **10. INSPECTION IN TRANSIT—**

Any car, vehicle, basket, box or container moved intrastate or offered to a common carrier for shipment intrastate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is restricted by these regulations, shall be subject to inspection by an inspector at any time or place,

and when actually found to involve danger of dissemination of Japanese beetle to uninfested localities, measures to eliminate infestations may be required as a condition of further transportation or delivery.

#### **11. CLEANING OF TRUCKS, WAGONS, CARS, BOATS, AND OTHER VEHICLES AND CONTAINERS—**

When in the judgment of the inspector a hazard of spread of infestation is presented, thorough cleaning of trucks, wagons, cars, boats and other vehicles and containers may be required before movement intrastate to points outside of the regulated areas.

#### **12. SHIPMENTS FOR EXPERIMENTAL AND SCIENTIFIC PURPOSES—**

Articles subject to restriction in these regulations may be moved intrastate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the South Carolina State Crop Pest Commission. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the South Carolina State Crop Pest Commission.

#### **13. PENALTIES—**

Any person or firm who shall violate the regulations of this quarantine or who seeks to prevent the inspection or control of Japanese beetles which may occur on their property under the direction of the Entomologist of the South Carolina State Crop Pest Commission or its inspectors shall be deemed guilty of a misdemeanor and upon conviction will be punished by law as provided for by Section 3-111 of the 1962 Code.

#### **Sweet Potato Mosaic Quarantine**

(Filed in the office of the Secretary of State June 28, 1963)

Regulations relating to Sweet Potato Mosaic Quarantine, effective May 15, 1959, filed in the office of the Secretary of State July 12, 1961, are rescinded.

#### **DAIRY COMMISSION**

Promulgated under authority of Section 32-1630 of the 1962 Code

(Filed in the office of the Secretary of State August 29, 1962)

#### **REGULATION NO. 1**

Regulation No. 1 is amended by adding to paragraph A the following sub-paragraph:

6. "Plant Loss"—The volume of milk and milk products received or reconstituted during any settlement period which cannot be specifically accounted for during such period in the Class I, Class II or Class III sales, in the manufacture of a Class III product or in the sales and transfers of bulk milk and milk products to other licensed distributors or to manufacturing milk plants.

**REGULATION No. 2**

Regulation No. 2, as amended, is amended by deleting the entire regulation and rewriting the regulation in its entirety as follows:

**A. Classes of Milk**—On or before the fourth day after the end of each delivery period all milk received at each plant from producers during the preceding delivery period shall be classified as Class I unless the distributor receiving such milk can prove that it should be otherwise classified, subject to any administrative relief which may be granted by the Commission resulting from extenuating circumstances and the following conditions:

1. Class I shall include all sales and inventory holdings at the close of business on the last day of the delivery period of processed fluid milk and fluid milk products containing one percent (1%) or more of milk fat (excluding sour cream), and bulk milk sold or transferred to any plant located within the State which has been certified to the Commission to be for use in a federal military contract, except that portion of milk which may be approved by the Commission to be classified in Class II or Class III pursuant to paragraph B, sub-paragraph 3; provided, however, the transfer of such milk to Class II or Class III as herein authorized shall not be made by a distributor unless the Class I, Class II, and Class III prices filed with the Commission and paid to producers by such distributor are equal to the prices filed with the Commission for such classes of milk by distributors which receive ninety percent (90%) of the grade A milk delivered by base holding producers to distributors located within South Carolina. Fluid cream, milk-cream mixtures and concentrated milk in excess of six percent (6%) butterfat shall be included in Class I on a milk equivalent basis.
2. Class II shall include all sales and inventory holdings at the close of business on the last day of the delivery period of processed fluid milk products containing less than one percent (1%) of milk fat which has not been accounted for in the milk equivalent of Class I cream and milk-cream mixtures, and that portion of any milk designated as Class I utilization which may be approved by the Commission to be transferred to Class II pursuant to paragraph B, sub-paragraph 3.
3. Class III shall include, subject to the provisions of paragraph B, all milk and milk products received and used in the processing or manufacture of any product for human consumption except those products designated as Class I or Class II utilization and any plant loss not in excess of two and one-half percent (2½%) of the total milk and fluid milk products received and reconstituted during the delivery period.
4. The product pounds of all fluid milk and fluid milk products in each Class shall be computed by multiplying the total quarts of such products by the weight factors set forth below:

| Product                     | Weight<br>Per Quart | Product        | Weight<br>Per Quart |
|-----------------------------|---------------------|----------------|---------------------|
| Milk .....                  | 2.15                | Cream (10-17%) | 2.13                |
| Creamed Buttermilk .....    | 2.15                | Cream (18-21%) | 2.11                |
| Skim (Above 1% B. F.) ..... | 2.15                | Cream (22-28%) | 2.10                |

| Product                      | Weight<br>Per Quart | Product        | Weight<br>Per Quart |
|------------------------------|---------------------|----------------|---------------------|
| Flavored Milk or Drink (Net) | 2.00                | Cream (29-32%) | 2.09                |
| Skim (Plain)                 | 2.16                | Cream (33-39%) | 2.08                |
| Buttermilk (Plain)           | 2.16                | Cream (40-42%) | 2.06                |

**B. Basis for Classification**—On or before the fourth day after the end of each delivery period, all milk received during the preceding period by a distributor shall be classified on the basis of the accountable sales and utilization of milk by such distributor and in accordance with the provisions of paragraph A. Raw milk disposed of in bulk and processed milk sold to federal military installations shall be classified subject to the following provisions:

1. Milk disposed of in bulk to other distributors shall be classified as Class III by the shipping distributor except as provided in subparagraph 2. The shipping distributor shall be paid for such Class III milk on the basis of the amount of such milk utilized by the receiving distributor in Class I or Class II, as determined by the utilization at the receiving distributor's plant and verified by the monthly audits of the Commission, at not less than the highest price filed with the Commission by the shipping or receiving distributor for such classes. The shipping distributor shall return to his producers the price received for any bulk milk sold or transferred to another distributor in this classification less reasonable handling and transportation charges if any are incurred.
2. Bulk milk sold or transferred by a distributor located within South Carolina to another distributor within the State for sale to the United States Government and for delivery to a federal military installation under a bona fide written contract may be prorated by the shipping distributor between Class I, Class II or Class III pursuant to subparagraph 3; provided, that on or before the tenth day after the end of the settlement period involved, certificates are received by the Commission from the shipping distributor certifying that such bulk milk was sold or transferred for use in military contracts, and from the receiving distributor certifying that such bulk milk was used for military contracts.
3. Processed milk containing one percent (1%) or more of butterfat sold to the United States Government and delivered to federal military installations under a bona fide written contract, and bulk milk sold or transferred by a distributor located in South Carolina to another distributor within the State, certified for use in a contract as referred to above, may be transferred from Class I to Class II or Class III during such delivery periods and in the proportion as may be approved by the Commission. The proportion of the products herein referred to, which may be approved for transfer from Class I to Class II or Class III, is subject to change by the Commission, however, the pro-ration approved on the first day of delivery under any contract shall prevail until the expiration date of such contract.

**C. Computation of Milk in Each Class**—For each delivery period the classification of milk at each plant shall be computed in the following manner:

1. Determine the tentative Class I utilization by:
  - a. Computing the volume of total sales of processed fluid milk and bulk milk certified for use in federal military contracts at the average butterfat test of all milk received at a plant from producers and in bulk from other sources or at the specific test of each product sold when such records are maintained.
  - b. Add the volume of all sales of flavored milk or drink, creamed buttermilk and any other fluid milk products containing one percent (1%) or more, but less than six percent (6%), of butterfat at the specific test of such products.
  - c. Add the milk equivalent of all sales of fluid milk products containing six percent (6%) or more of butterfat. (The weighted average test of all bulk milk received from producers and distributors during the delivery period shall be used in converting cream and milk-cream mixtures containing six percent (6%) or more of butterfat to a milk equivalent basis. In the absence of a weighted average butterfat test, distributors shall convert such cream and milk-cream mixtures on the basis of a four percent (4%) milk equivalent.)
2. Determine the tentative Class II utilization by:
  - a. Computing the difference between the volume of fluid milk products containing butterfat in excess of six percent (6%) from its milk equivalent included in Class I and entering such amount in Class II as a preliminary credit.
  - b. Compute the volume of all sales of fluid milk products containing less than one percent (1%) butterfat not accounted for in the milk equivalent of Class I cream and milk-cream mixtures and apply the butterfat tests applicable to such products.
3. Determine the tentative Class III utilization by:
  - a. Computing the volume of all milk and milk products not specifically classified in Classes I and II at the applicable tests.
4. Transfer from Class I to Class II or Class III, at the rate approved by the Commission, that portion of fluid milk containing one percent (1%) or more of butterfat sold to federal military installations and bulk transfers between plants certified to the Commission for use in such contracts.
5. Add the closing inventories to and subtract the opening inventories from the appropriate classes as determined in the preceding paragraphs.
6. Determine the amount of plant losses by subtracting the total milk and milk products accounted for in each Class from the total milk and milk products received.
  - a. Add to the Class III utilization the amount of plant loss which is not in excess of two and one-half percent (2½%) of the total milk and milk products received.

- b. Add to the Class I utilization the amount of plant loss which is in excess of two and one-half percent ( $2\frac{1}{2}\%$ ) of the total milk and milk products received.

**D. Classification of Milk Received from Producers**—The net classification of milk received from producers at each plant shall be determined in the order and manner set forth below and the total milk in each class shall be allocated to producers in accordance with the example set forth in Table I of this Regulation.

1. The butterfat and milk equivalent of powdered and condensed products which are reconstituted shall be deducted from the gross Class III utilization.
2. The butterfat and product pounds of any processed milk and milk products received from another distributor shall be deducted from the remaining Class III utilization.
3. The butterfat and product pounds of bulk milk received from a distributor located within South Carolina, which has been certified to the Commission for use in military contracts, shall be deducted from Class III, Class II and Class I in the proportions approved by the Commission. Any amount in excess of the available Class II shall be deducted from any remaining Class III.
4. The butterfat and product pounds of bulk milk received, other than that received and certified for use in military contracts, shall be deducted from any remaining Class III utilization.
5. In the event that any or all of the above items are greater than the amount remaining in Class III, they shall be deducted first from any remaining Class II and finally from Class I.
6. For the purpose of classification, milk from a distributor's own herd will be considered to be producer milk.

**E. Payment to Producers**—Each licensed milk distributor located within South Carolina shall make full payment to producers on or before the fifteenth (15th) day following the end of each delivery period for all milk received, at not less than the Class price(s) as negotiated with producers and filed with the Commission.

1. Each distributor shall establish and file with the Commission, on forms provided by the Commission, the price to be paid to producers for each class of milk established by the Commission, together with the premium to be paid for special milk, as agreed upon between the distributor and producers of such milk. In the event of any decrease in the price so established, the distributor shall notify the Commission and each of his producers in writing not less than thirty (30) days prior to the effective date of such decrease.
2. The premium to be paid for special milk sales during any delivery period shall be applied uniformly to all Class I credit allocated to producers of special milk as determined by the following formula:

Divide the total pounds of special milk sold by the total Class I credit allocated to special milk producers. Multiply the result ob-

tained by the premium rate per cwt. and add the result to the Class I price payable to special milk producers.

3. The Class III price to be paid producers shall be a weighted average blend price of bulk milk sold or transferred, and included in Class III, at the net price received for such milk, and any other milk included in Class III at the price filed with the Commission for Class III milk. When the total bulk milk sold or transferred and included in Class III exceeds the net amount allocated to producers in Class III, the weighted average blend price shall be computed from the highest net priced quantity or quantities used or transferred.
4. Each distributor shall, whenever making payment for milk purchased from producers during any delivery period, furnish each producer with a statement of purchases and payment which contains the information as follows:
  - a. Name of the distributor
  - b. The delivery period covered
  - c. Producer's base for the period
  - d. Butterfat test of producer's milk
  - e. Pounds of milk in each class
  - f. Price per cwt. paid for each class
  - g. Gross amount due by class and in total
  - h. Each deduction made by distributor
  - i. Net amount paid.
5. Whenever an audit by the Commission discloses a distributor has not made full payments to producers during any delivery period in accordance with the Regulations of the Commission, the distributor shall upon written notice from the Commission make the necessary adjustments to correct any underpayment to producers in such manner and within such time as may be specified by the Commission.

### REGULATION NO. 3

Regulation No. 3 is amended as follows:

Delete sub-paragraphs 2 and 5 of paragraph B and enter in lieu thereof the following:

2. During any base forming period beginning after January 1, 1962, the base of each producer shall be one hundred and five percent (105%) of the monthly average of the Class I and Class II utilization and that portion of the Class III utilization which is directly attributable to the sale of fluid milk to federal military installations allocated to each producer during the base forming period or the producer's total production, whichever is the lesser, except as provided in paragraph 5.
5. A producer with an established base who delivers milk regularly to a grade A milk plant during the base forming period and whose average production during such period decreases by more than ten percent (10%) of his current base, shall have his new base determined by multiplying his current base by ninety percent (90%); provided, however, such producer's new base shall not exceed the amount obtained by multiplying his current base by the average percentage of

the total plant base applicable in determining the bases of all producers in the plant at which his milk is marketed.

Delete sub-paragraphs 5 and 7 of paragraph C and enter in lieu thereof the following:

5. A producer who changes markets or acquires base from another producer during the base forming period shall have his base computed from his total base credits earned or acquired during such period.
7. An established milk base may be transferred from one producer to another producer provided, the owner(s) of the base and the person(s) acquiring the base execute and forward to the Commission a standard form furnished by the Commission to effect the transfer, but only under the following conditions:
  - a. Where the total milk base is sold or transferred to a producer; or to two or more producers in increments of not less than 5,000 pounds. Any remaining base held by a producer following the initial transfer of any portion of his base shall become null and void after sixty (60) days except as herein provided;
  - b. Where a producer finds it necessary to reduce the size of his milking herd as a result of semi-retirement or other special circumstances which warrant administrative review, a portion of the producer's established base may be sold or transferred upon special application to and approval by the Commission,
  - c. When a base is held jointly and such joint holding is terminated, the base may be transferred to one or more of the joint holders in an equitable manner;
  - d. A base established by a new producer as authorized by paragraph B, 4 shall not be transferable under the condition set forth in (a) or (b) above until at least one (1) year has elapsed after such producer's initial base was established; provided however,
  - e. All base transfers shall become effective on the first day of the month next succeeding the month in which the sale or transfer occurred; provided, the distributor to whom the producer(s) acquiring any base through purchase or transfer will accept such base.

Add sub-paragraph 8 to paragraph C as follows:

8. A milk base with not less than a two (2) year history established in accordance with the regulations of another state regulatory agency may be accepted on the South Carolina market upon approval by the Commission; provided, the Commission can satisfactorily verify the establishment of such base, and provided further such base is adjusted in a manner that will equitably conform to the method used in determining the bases of other producers at the plant to which the base is to be transferred.

#### REGULATION NO. 4

(Filed in the office of the Secretary of State December 28, 1962)

Regulation No. 4 is amended by deleting the entire regulation and re-writing the regulation in its entirety as follows:

A. Each distributor, as a prerequisite to obtaining a license, shall file with the Commission, on forms prepared and furnished by the Commission, a schedule(s) of wholesale and retail prices for each market served directly by the distributor or indirectly through a sub-distributor, sales branch or subsidiary principally supplied with processed products by the distributor. Each schedule shall include the price of each unit of product covered by the Act and offered for sale by the distributor, and shall specify the size and type of container. The required schedule(s) of prices and any change(s) with respect thereto shall be signed by the person designated in the distributor's application for license to be held legally responsible for compliance with the conditions of the license.

1. A copy of the distributor's current schedule of prices on file at any time with the Commission for any market(s) served by a sub-distributor, sales branch or subsidiary shall be furnished by the distributor to and kept on file in the office of the sub-distributor, sales branch or subsidiary serving such market(s).
2. A distributor shall not be required to establish and file prices with the Commission for any product(s) offered for sale except those products covered by the Act (milk, milk products, ice cream and frozen desserts). However, the sale by a distributor of any product which is not covered by the Act, irrespective of whether the purchaser be a school, hospital, store or any other person or entity, at a price less than the price made available to **ALL wholesale and retail customers respectively**, or any other discriminatory pricing practice with respect to such products by a licensee, shall be deemed a decrease in the prices filed with the Commission for the products covered by the Act and a violation of the price filing provisions of this regulation.

B. Upon receipt from distributors of all required Schedules of Prices annually, the Commission shall, as soon thereafter as is practical, determine and make available to each licensed distributor the lowest price established in each market by distributors for each unit of all products covered by the Act.

C. The wholesale and retail prices filed with the Commission by a distributor for each market shall be charged uniformly for all deliveries within the market except as follows:

1. Special wholesale prices may be established for any market and filed with the Commission to be made available to: (1) private, public, or parochial schools and state or church supported colleges or universities which provide non-profit lunch room facilities for students; (2) eleemosynary institutions or agencies and, (3) non-profit hospitals entirely supported by a church or by the federal, state, county or municipal governments; provided, the special wholesale prices so established are made available to all such customers as herein designated within a given market. Special wholesale prices established in accordance herewith shall not apply to products purchased by or for independently operated dairy bars, soda shops, canteens, student centers, etc., or food service facilities operated by any person other than the excepted customers designated above.

2. The prices filed for any market shall not be deemed to apply to products sold to the United States Government under contract and delivered to federal military installations; provided however, each distributor entering into a contract with the United States Government to supply any product covered by the Act to such installations shall notify the Commission in writing prior to the first day of delivery under such contract of: (1) the name of the installation to be supplied; (2) the approximate quantity of each unit of each product to be supplied; (3) the unit price made available on each unit of each product and; (4) the beginning and terminating dates of the contract.

D. The prices established and filed with the Commission by a distributor for any market(s) may be changed **only** on the first day of any calendar month; **provided**, a complete new schedule(s) of prices applicable in such market(s) is sent by certified mail to the Commission, on forms furnished by the Commission, and such schedule(s) is received in the Commission office at least ten (10) days (exclusive of Sundays and legal holidays) prior to sale or offer to sell at the new prices to be established.

E. Upon receipt of a new schedule (s) of prices for any market(s) duly filed, the Commission shall mail within three (3) days (exclusive of Sundays and legal holidays) a copy of the new schedule(s) to each licensed distributor operating in the market(s) in which the new prices are to be applicable.

F. A distributor, upon receipt from the Commission of a new schedule(s) of prices established by a competitor for any market(s), may waive the ten (10) days prior notice and put into effect in such market(s) similar price changes (but not below those which have been duly filed with the Commission by a competitor); **provided**, the distributor sends to the Commission by certified mail a complete new schedule(s) of prices applicable in the affected market(s) and such schedule(s) is received in the Commission office at least one (1) day (exclusive of Sundays and legal holidays) prior to sale or offer to sell at the new prices filed as herein provided.

G. No distributor shall sell or offer for sale any product covered by the Act in any market, either directly or indirectly through a sub-distributor, sales branch or subsidiary, at a price less than the prices offered in the market in which such distributor's processing plant is located, or less than the prices offered in the principal sales area of such distributor (measured by volume of sales), except when such lower prices are offered in good faith to meet a competitive price which has been duly filed with the Commission, and after due notice has been given as provided in paragraph F above. No subdistributor shall sell or offer for sale any product covered by the Act at a price forbidden the distributor by whom such sub-distributor is principally supplied with processed products.

H. Each distributor located within South Carolina, who receives milk regularly from producers, shall file with the Commission, within ten (10) days after receipt of forms furnished by the Commission therefor, the price to be paid producers for each class of milk as set forth in Regulation No. 2. Each distributor shall notify the Commission and each of his respective producers in writing not less than thirty (30) days prior to the

first day of any delivery period in which a decrease in such prices is to become effective. The prior notice may be waived by any distributor to meet a decrease in the class prices duly filed with the Commission by any distributor located within the State.

#### REGULATION NO. 5

Regulation No. 5 is amended by changing paragraphs D and E to paragraphs E and F respectively, and by adding the new paragraph D as follows:

D. Each distributor located outside of South Carolina who ships processed fluid milk or fluid milk products, or causes the same to be shipped, to a sales branch or sub-distributor located in South Carolina shall establish and follow a regular periodic schedule for each such shipment into South Carolina. The schedule so established shall be filed with the Commission and shall specify: (1) the processing plant from which such products are to be shipped; (2) the approximate hour of departure of each shipment; (3) the name and address of the consignee and; (4) the approximate hour of arrival of each shipment at its destination. The distributor shall notify the Commission immediately by telegram of any deviation of more than one (1) hour in the scheduled hour of departure of any shipment and shall notify the Commission by telegram at least four (4) hours prior to any non-scheduled or special shipment. A copy of the bill of lading or invoice of each shipment shall be mailed to the Commission, bearing a postmark not more than two hours after the scheduled hour of departure of such shipment, and shall clearly indicate the exact number of units of each unit of processed fluid milk and fluid milk products contained in each shipment into South Carolina.

(Filed in the office of the Secretary of State April 29, 1963)

#### REGULATION NO. 4

Regulation No. 4, as amended, is amended by adding the following sub-paragraphs:

J. The procedure set forth in this regulation by which a distributor may change his established wholesale and retail prices of milk and fluid milk products and his established producer prices shall be waived for any distributor operating within a market(s) in which a wholesale consumer is selling or offering to sell milk or fluid milk products at less than the wholesale price of such products duly filed with the Commission by the licensed distributor from whom such wholesale consumer purchased said products; PROVIDED, however, any change to be made by a distributor in his established wholesale and retail prices of milk and fluid milk products which have been duly filed with the Commission for a market(s) as herein referred to and any decrease to be made by a distributor in his established producer prices pursuant to this sub-paragraph shall be sent in writing and received by the Commission at least two (2) days (exclusive of Sundays and legal holidays) prior to the effective date of such change; and FURTHER PROVIDED, that a distributor who has decreased his established prices pursuant to this sub-paragraph may increase such prices

to the level of those duly filed with the Commission immediately prior to such decrease by notifying the Commission in writing within two (2) days (exclusive of Sundays and legal holidays) after the effective date of the change.

K. A distributor, upon receipt of notice from the Commission that a competing distributor has made a change in any market(s) in his established wholesale or retail prices or a change in his established producer prices pursuant to the provisions of sub-paragraph J, may place into effect on the same date similar wholesale or retail price changes in the affected market(s) (but not below those which have been duly filed with the Commission by the competing distributor) and decreased producer prices; PROVIDED, however, such changes shall be sent to the Commission by certified mail and received by the Commission not later than two (2) days after the effective date of the changes; and PROVIDED FURTHER that, a distributor who has decreased his established prices pursuant to this sub-paragraph may increase such prices to the level of those duly filed with the Commission immediately prior to such decrease by notifying the Commission in writing within two (2) days (exclusive of Sundays and legal holidays) after the effective date of the change.

L. A distributor shall not file and place into effect any decrease in his established wholesale or retail prices of any unit of milk duly filed with the Commission at any given time, except to meet competition as provided in sub-paragraphs F, J or K of this Regulation, which is greater than a reduction in the price duly filed with the Commission and payable to producers for such milk, until the Commission has verified that actual economies equal to a greater reduction have been effected in the distributor's operation of his business.

(Filed in the office of the Secretary of State April 29, 1963)

#### REGULATION NO. 4

Regulation No. 4, as amended, is amended by deleting sub-paragraphs J, K and L and adding the following new sub-paragraph:

I. A distributor shall not file and place into effect prices for any unit of milk or milk products which are less than those which had been duly filed with the Commission on April 1, 1963, except to meet competition as provided in sub-paragraph F of this Regulation, until the Commission has verified that the prices as proposed, for any unit of milk or milk products, are not less than the distributor's cost as defined by Sections 32-1611(23) and 32-1640.8 of the 1962 Code of Laws of South Carolina.

#### STATE BOARD OF EDUCATION

Promulgated under authority of Section 21-45 of the 1962 Code  
State Plans Pertaining to Public Law 85-864

(Filed in the office of the Secretary of State September 25, 1962)

The State of South Carolina, through the State Board of Education, hereby submits its State plan for strengthening instruction in science,

mathematics, and modern foreign languages pursuant to the provisions of Sections 301-304, inclusive, of Title III of Public Law 85-864, and the regulations issued with respect thereto.

## 1.0 THE STATE EDUCATIONAL AGENCY

**1.1 Name of Agency.** The name of the State Educational Agency is the South Carolina State Board of Education and this agency is the sole agency responsible for the administration of the state plan and for dealing with the Commissioner with respect to the plan. (Code of Laws of South Carolina, 1962, Volume 3, Section 21-45, Sub-section 1; also South Carolina State Constitution, Article 11, Section 2.) (Copies attached Appendix A.)

### 1.2 Administration

**1.21** The State Superintendent of Education is authorized to submit plans to the Commissioner (South Carolina State Constitution, Article 11, Sections 1 and 2, Code of Laws of South Carolina, 1962, Volume 3, Sections 21-23, and State Board Regulations, Code of Laws of South Carolina, 1962, Volume 7, page 508, paragraph 1). (Copies attached Appendix A.)

The State Board of Education on January 16, 1959 adopted the following resolution:

The State Superintendent of Education, who is the Secretary and Executive Officer of the State Board of Education, is hereby authorized to act for and on behalf of this Board and is empowered to sign all instruments, receive funds, and authorize expenditure of such funds pertaining to Public Law 85-864, known as the National Defense Education Act of 1958. By the power of his office as State Superintendent of Education he is the duly authorized officer of the State to submit the state plan to the Commissioner of Education.

**1.22** The title and official address of the officer who has legal authority to receive and to have custody of Federal Funds is South Carolina State Treasurer, State House, Columbia, South Carolina. (South Carolina General Appropriation Act, 1958-59, Section 73.) (Copy attached Appendix A.)

**1.23** The official title of the officer who will have authority to authorize expenditures under the state plan is the State Superintendent of Education.

**1.24** The State Superintendent of Education will administer the plan through the State Department of Education.

**1.25** See attached charts showing organization of the State Department of Education and the Division of Instruction for the administration of the programs under the state plan. (Copy attached Appendix B.)

**1.26** There may be established from time to time an Advisory Committee to be appointed by the State Superintendent of Education. This committee (these committees) may be composed of representatives from school administrators, supervisors, classroom teachers, and university personnel with competencies in the field(s) in which the committee functions. This

committee shall advise with the State Agency concerning evaluations, principles of priority, standards for equipment, and such other advisory duties as from time to time may be necessary for the proper implementation of the plan program.

### 1.3 The State Agency's Authority

1.31 The following cited statute gives the State Educational Agency the authority to submit a state plan and to administer the plan under Sections 301-304, inclusive, of Public Law 85-864 (South Carolina General Appropriation Act, 1958-59, Section 73). (Copy attached Appendix A) which reads in part as follows:

Each department, institution, or other agency of the state is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds.

(This is supported by the opinion of the South Carolina Attorney General. Appendix C.)

1.32 The State Superintendent has responsibility for supervision of the public schools of the state and discharges that responsibility through the State Department of Education. (Code of Laws of South Carolina, 1962, Volume 3, Section 21-23; also South Carolina State Constitution, Article 11, Sections 1 and 2.) (Copies attached Appendix A.)

1.4 **Reports.** The State Department of Education will participate in periodic consultations with the Commissioner and his staff, and will make such reports to the Commissioner as he may consider reasonably necessary to carry out his responsibilities under Sections 301-304, inclusive, and 1004 of Public Law 85-864 and will comply with such provisions as the Commissioner may find necessary to assure himself that such reports are correct and verifiable.

1.5 **Hearings.** In case the State Agency or its authorized representative rules that a project does not meet criteria established for priorities, standards, and administration set up in this plan, and if the matter cannot be adjudicated satisfactorily, the local agency presenting the project shall have the opportunity for a hearing. The local agency desiring a hearing shall so notify the State Superintendent of Education within thirty days from the date on which the project was denied. The notice shall state the grounds on which the hearing is requested. A hearing will be granted within ten days after receipt of a request or at such other time as may be convenient to the local agency, before a committee composed of the following:

The State Superintendent of Education

The Director of Division of Instruction

The Coordinator of Title III  
The State High School Supervisor  
The Chief Elementary Supervisor

It is understood that South Carolina law allows an appeal to the State Board of Education from the decision of the above committee.

## **2.0 FISCAL ARRANGEMENTS AND ACCOUNTING PROCEDURES:**

### **2.1 State Laws and Regulations**

2.11 The State Board of Education is governed by the following cited State Laws and Executive Regulations with respect to the hiring of personnel and the purchase of and accounting for supplies, materials and equipment. (Code of Laws of South Carolina, 1962, Volume 3, Article 1, Sections 21-902, 903, 904; also South Carolina General Appropriation Act, Sections 72, 73, 74, and 78.) (Copies attached Appendix A.)

2.12 There have been no Attorney General opinions and/or court decisions which materially affect the meaning of the cited laws and/or regulations.

### **2.2 Fiscal Records: State Level**

2.21 The official accounts and documents showing receipts and expenditures of funds by the State Agency under the approved state plan will be maintained by the following agencies:

South Carolina State Department of Education, Columbia, S. C.  
South Carolina Comptroller General, Columbia, S. C.  
South Carolina State Treasurer, Columbia, S. C.

The South Carolina State Department of Education shall maintain intact all records supporting claims for Federal grants or relating to the accountability of the South Carolina State Department of Education for expenditure of such grants and relating to the expenditure of matching funds for a period of three years after the close of the fiscal year in which the expenditure was made by the State Department of Education.

The records involved in any claims or expenditures which have been questioned shall be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Department.

The records supporting accountability for instructional equipment and office equipment purchased from Federal or matching funds which cost \$10.00 or more per unit shall be maintained until notified of the completion of the Department's review and audit covering the disposition of such equipment.

2.22 The accounts of the South Carolina State Department of Education are audited by the State Auditor of South Carolina at least once each year. Special audits may be made if considered necessary as provided in Code of Laws of South Carolina, 1962, Volume 1, Article 8, paragraph 1-882. (Copy attached Appendix A.)

**2.3 Fiscal Records: Local Level**

2.31 The official accounts and documents showing receipts and expenditures of funds by local educational agencies under the approved state plan will be maintained by the following agencies:

- District Superintendents of Schools
- County Superintendents of Education
- County Treasurers
- South Carolina State Department of Education

2.32 Acceptable private auditors or the State Educational Agency will audit the fiscal records of the local educational agencies participating in planned programs at least annually and copies of the reports of the audits will be available in the office of the State Department of Education.

**2.4 Identifying and Prorating Costs**

It is anticipated that some of the professional personnel will be working on programs under this plan and on other state or local programs. Where the same individual is performing other functions, these will appear in the position description together with the proportion of the individual's time which will normally be devoted to each activity. The salary and supporting expense of such individuals will be prorated in accordance with the normal time allocation and travel expense will be charged in proportion to the actual time spent in travel on each program.

If other personnel, or equipment, are used in part for work not under a plan program, similar provisions will apply.

**3.0 PROGRAMS FOR EXPANSION AND IMPROVEMENT OF SUPERVISORY AND RELATED SERVICES****3.1 The Present Program**

At the present time supervision of instruction in science, mathematics, and modern foreign language in the public elementary and secondary schools of South Carolina is of a general nature. Personnel is not available for supervision or consultative services in specific curriculum areas such as science, mathematics, and modern foreign languages. There are nine general supervisors, including the Division Director, and six special supervisors working in the areas of Library Services, Physical Education, Health Education, Adult Education, Alcohol Education, and Special Education. By special arrangement for the fiscal year 1958-59, there is one traveling Science Lecturer. Each supervisor, with the exception of one, has a masters degree or better, a major in education, and not less than ten years actual classroom, administrative and/or supervisory experience. Every staff member meets fully the certification requirements of the state for elementary school or secondary school or both.

The title and duties of position of persons currently engaged in the state supervisory programs are:

- Director, Division of Instruction
- State High School Supervisor
- Assistant High School Supervisor
- Chief Supervisor, Elementary Education

Supervisor, Primary and Elementary Education  
State Agent for Negro Schools  
Assistant State Agent for Negro Schools  
Supervisor, Negro Elementary Schools  
Supervisor, School Library Services  
Field Supervisor  
Supervisor, Health Education  
Supervisor, Physical Education  
Supervisor, Adult Education  
Supervisor, Alcohol Education  
Supervisor, Special Education

The duties of the above supervisors are to provide general consultant services and leadership in improving the instructional program in grades 1-12. In the execution of these duties, the general supervisors spend part time (on call) in supervision of science, mathematics, and modern foreign languages instruction by working with groups of teachers, supervisors, and administrators at the local level. This supervision is definitely limited by the size and the training of the staff. Supervision at the local level is limited to general supervision by the building principal, who frequently carries a full teaching load, and a sprinkling of county and/or district general supervisors. No local educational agencies provide specific supervisory services for science, mathematics and/or modern foreign languages. There is no specific supervision at the state level in the selection, use and care of audio-visual equipment and materials. Equipment and materials for use in science, mathematics, and modern foreign languages instruction ranges, in the state, from excellent to almost non-existent depending on local leadership, effort, and financial ability. The relationship between the quality and quantity of equipment and its use, for instruction, ranges from adequate to totally inadequate. Evidence indicates that the use of equipment for science instruction is on a whole good while it is very limited for mathematics and modern foreign languages. On the whole, equipment is not available at the elementary level to the extent that it is at the secondary level.

### 3.2 Plan Program Objectives

The following objectives are set forth to be accomplished under the plan program over the four-year period covered by the Act.

1. Enlarging and refining the program of offerings in the fields of science, mathematics, and modern foreign languages in elementary and secondary schools.
2. Bringing all the public elementary and secondary schools of the state up to a minimum standard of performance in the fields of science, mathematics, and modern foreign languages.
3. Helping local districts to build adequate collections of equipment and materials through the plan program concerning the acquisition of laboratory and other special equipment, including audio-visual materials and equipment and printed materials (other than textbooks).

4. Encouraging acceptance of responsibility at the local level for the quality of instruction.
5. Helping train teachers in the use of equipment and materials in science, mathematics, and modern foreign language instruction.
6. Developing, revising and upgrading curriculum materials in science, mathematics, and modern foreign languages.
7. Making consultative services for the use of equipment, materials, and instructional aids available to all public elementary and secondary schools.
8. Encouraging the development of experimental programs in "TV", better utilization of the staff, and new methods in science, mathematics, and modern foreign languages.
9. Exploring ways to overcome the shortage of teachers in the fields of science, mathematics, and modern foreign languages and especially in modern foreign languages.
10. Encouraging gifted and curious students in special projects and advanced research.
11. Cooperating with the local schools and other agencies in developing and improving the science fair program.

### **3.3 Description of Program for Improvement of Supervisory and Related Services**

The following is the program the State Agency will undertake to improve supervisory and related services in the fields of science, mathematics, and modern foreign language instruction in public elementary and secondary schools during the four years under the plan.

#### **Scope of Activities**

**Local Conferences.** Conferences will be provided for teachers, supervisors, and administrators to develop competencies in science, mathematics, and modern foreign language instruction. The improvement of skills and concepts in administration, supervision, and teaching in these areas will be the main focus in these conferences. They will be staffed with competent consultants and will be organized to cover a concentrated period of time (less than two weeks) or shorter periods of time at intervals during the year. This program will constitute an expansion and improvement since this type of conference has been held infrequently due to difficulties in financing and limitations imposed by the size of the staff.

**Developing Curriculum Materials.** Members of the state staff and outside consultants will work with teachers, supervisors, and administrators, who have competencies in the fields of science, mathematics, and modern foreign languages in developing curriculum materials (guides, courses of study, bulletins, bibliographies, etc.). These materials will be developed in concentrated workshops at the state level or in workshops extending from the local levels. The development of curriculum materials has been limited. This improved and expanded service will meet an expressed need on the part of those concerned with instruction at the local level.

**Consultant Services.** The services rendered by the State Agency will be expanded and improved by the addition of new personnel, assigning present staff members to specific duties in supervision of science, mathematics, and modern foreign languages, and by making use of specialists and/or consultants from outside agencies. (See paragraph 3.4 for duties and qualifications of personnel.)

**Research, Experimentation, and Dissemination of Information.** The services of the State Agency will be further expanded by employing a person skilled in research services. This person will have responsibility for collecting data on the effectiveness of the program under the plan, giving assistance to local agencies in setting up reliable and valid research and experimental programs, interpreting data, and in disseminating information to local agencies and to the public.

This will be a new service which has been an expressed need for a number of years. Budgetary limitations and shortage of personnel have made meeting this need impossible.

**Evaluation of the Program.** The State Agency will carry on a continuous evaluation of projects under the plan. Members of the state staff will work with advisory committees of teachers, supervisors, administrators, and consultants in evaluating the program and in outlining logical and needed steps to be taken in the improvement of instruction in science, mathematics, and modern foreign languages. The State Agency will make such reports concerning the results of evaluation of the program as the Commissioner deems necessary in the execution of his duties.

#### 3.4 Duties and Qualifications of Professional State Personnel

Supervisory personnel on the state staff assigned to a plan program described in paragraph 3.3 shall hold a Supervisors Certificate as outlined in the bulletin "Requirements for Teacher Education and Certification" (p. 20) adopted by the State Board of Education, 1957. (Copy of "Requirements for Teacher Education and Certification" included.) All professional personnel on the state staff are employed by the State Superintendent of Education with the approval of the State Board of Education.

In addition the supervisors shall have demonstrated leadership abilities, shall have been active participants in the professional association of their specialty and shall have had successful teaching and/or supervisory experience in the field in which employed.

The provisions outlined in 2.4 will apply for prorating time, salary, and travel and other expenses for personnel working under this plan part time and on other programs.

Whenever a person with these qualifications cannot be obtained, the State Superintendent of Education may employ, with State Board Approval, a person, who in his judgment is the best qualified person available.

Personnel assigned to a plan program described in 3.3 shall have the following duties:

1. To provide guidance and in-service training in the fields of science, mathematics, and modern foreign languages for teachers, supervisors, and administrators.

2. To encourage and assist local school districts in establishing projects for improvement of instruction.
3. To assist in the development and use of curricular materials.
4. To plan and conduct workshops, clinics, and conferences directed toward improvement of instruction.
5. To assist in the development of standards for projects.
6. To assist in selection and use of equipment and materials acquired for projects.
7. To participate in a continuing evaluation of projects established under the state plan.

All Supervisors in existing positions as they have been described in 3.1 will spend 25% of their time on the plan program in the field(s) in which they are qualified as described in 3.3 with duties as outlined in the paragraph immediately above.

In addition to the reassignment of present personnel, the following additional personnel will or may be assigned to the program described in 3.3 with the duties as outlined immediately above:

A coordinator of Title III who will work immediately under the Director of the Division of Instruction in the general administration and coordination of the plan program.

Five state-wide supervisors: one each in the fields of science, mathematics, and modern foreign languages; one supervisor of audio-visual education; one supervisor in charge of research and experimentation.

As the program expands and budget permits, twelve field supervisors: six of whom will be secondary school supervisors, two each in the fields of science, mathematics, and modern foreign languages; and six of whom will be elementary school supervisors, two each in the fields of science, mathematics, and modern foreign languages.

Consultants and specialists to be selected from recognized authorities in their respective fields to assist in duties outlined above in 3.3.

#### **4.0 PROGRAM FOR ACQUISITION OF LABORATORY AND OTHER SPECIAL EQUIPMENT (AND MINOR REMODELING)**

##### **4.1 Principles for Determining Priorities**

The State Agency recognizes the complexity of the problem and the heavy responsibility it faces in establishing and applying priority principles.

In the past decade South Carolina has undergone a reorganization of school districts which has reduced the number of districts from approximately 1200 to 107. With the establishment of the Educational Finance Commission and the levying of a 3% retail sales tax in 1951 the State has been engaged in a multi-million dollar building program. This program points toward the time when all the youth of the State will be adequately housed.

The task ahead is to continue to upgrade the quality of instruction in the schools; bringing the weakest up to the level of the very best to the end that, every youth should have the opportunity to develop skills, appreciations, and attitudes commensurate with his interest and ability in the

fields of science, mathematics, and modern languages. At the same time our purpose is to encourage new methods, experimentation, and a climate within which teachers may exercise imagination and creativity in their work.

The State Agency will undertake the establishment of desirable minimum and recommended standards and will assist the local agency in meeting these standards during the four years covered by the Act, in elementary and secondary schools, in instruction in science, mathematics, and modern foreign languages.

First priority will be given to project applications from local agencies to assist them in meeting minimum standards.

Second priority will be given to applications from local agencies that have met the minimum standards and who desire to extend and enrich their programs in science, mathematics, and modern foreign languages by meeting or exceeding the recommended standards.

In the application of these priorities consideration will be given to the following:

1. Need for the project in terms of desirable State standards.
2. Relative need for improvement of instruction in science, mathematics, and/or modern foreign languages.
3. Ability of the local agency to support an adequate program in science, mathematics, and modern foreign languages.
4. Resources used to match Federal and/or State funds so that the total school program may be kept in balance.
5. The cost of the project is not prohibitive.
6. Permanency of a school center.
7. Qualifications of teaching personnel in the fields for which funds are to be allotted.
8. Evidence that project application is based on a local plan program and will be continuously evaluated.

#### **4.2 Description of Programs and Standards Established for the Acquisition of Equipment:**

##### **4.21 Mathematics in Public Schools, Grades 1-12**

**4.211 Description of Program.** Mathematics instruction in South Carolina in the past has been traditional and in many of our smaller schools limited to a narrow college preparatory program. Over the four year period covered by the act, the State Agency will seek, through the mathematics program, to upgrade and widen the teaching of mathematics by:

1. Improving instruction throughout the whole twelve years of the curriculum by:
  - (a) Providing better teaching procedures and materials for all pupils, grades 1-12.
  - (b) Providing a minimum of four years sound meaningful mathematics instruction for our non-college bound youth and a possible maximum seven years sound and solid college preparatory mathematics for the college bound youth.

2. Providing for basic as well as enriched courses.
3. Incorporating possible changes in the mathematics curriculum.
4. Improving the competencies of teachers.
5. Providing adequately equipped mathematics classrooms.
6. Improving articulation between the elementary and the high school, the high school and the college.

**4.212 Standards for Equipment.** Standards governing the purchase of laboratory and other specialized equipment and audio-visual materials, as well as minor remodeling of laboratory facilities, will be established for the programs in science, mathematics, and modern foreign languages at both the elementary and secondary levels. These standards will include a list of basic and recommended equipment and materials from which the local agency may select for use in a plan program.

In the development of standards for equipment and materials the following criteria will be considered: (1) Type (2) quantity (3) quality (4) cost.

Before any project is approved by the State Educational Agency, there will be filed with the Commissioner a copy of the standards established by the State Educational Agency.

**4.213 Standards for Minor Remodeling.** The state plan establishes the definition of minor remodeling as contained in regulation 141.26. Under this plan Federal funds will be expended for minor remodeling needed to make effective use of equipment acquired through a project approved under the state plan, and then only to the extent that it improves the usability for that purpose of existing space in an already completed building. Building maintenance costs shall not be included as remodeling.

#### **4.22 Science in Public Schools, Grades 1-12**

**4.221 Description of Program.** The State Agency shall, during the four years covered by the Act, seek to improve instruction in the total program grades 1-12 through:

1. Giving pupils an opportunity to do experiments in a laboratory situation as well as to talk and read about science.
2. Providing adequate instructional materials and supplies.
3. Making provision for science instruction for general education and for special courses and laboratories for those with exceptional ability in the high school.
4. Making equipment available for activities such as science clubs, preparation for science fair projects, and research science groups.
5. Planning carefully the scope and sequence for teaching scientific concepts in the elementary school.
6. Evaluating the scope and sequence of science offerings in the junior and senior high school.
7. Making provisions for enrichment courses in the curriculum.
8. Helping teachers gain confidence and new competencies in science.
9. Equipping science laboratories adequately with special emphasis on the development of more laboratory experiences in which the student can discover scientific principles.

10. Improving articulation between elementary and junior high, junior and senior high, senior high and college in science programs.
11. Improving techniques for evaluation of science courses and programs.

4.222 **Standards for Equipment.** Same as 4.212.

4.223 **Standards for Minor Remodeling.** Same as 4.213.

#### 4.23 **Modern Foreign Language in Elementary and Secondary Schools**

4.231 **Description of Program.** At the present time most of the teachers of modern foreign language were taught by a (grammar-reading) method and have had little or no opportunity to develop skill and facility in understanding and speaking. With almost no foreign born population it is next to impossible to find anyone who uses a foreign language. The greatest and most immediate need of South Carolina's foreign language teachers is **increased aural-oral competence.**

Many of our teachers are married women who are not able (or willing) to leave their families for long periods of time to attend summer schools of six consecutive weeks. To meet this situation, the state plans to develop an in-service training program wherein frequent workshops or work conferences will be held within driving distances of teachers throughout the State. Consultants and supervisors will plan conferences so as to give every foreign language teacher an opportunity to hear and speak the language under controlled conditions.

The objective for the four-year period will be to increase the competences of modern foreign language teacher.

Because of the absence of equipment and materials, foreign language courses have tended to be **courses about** foreign languages. Our objectives for the next four years will be to relate material and equipment to instructional needs so that every foreign language pupil might have access to perfectly spoken language and access to hearing his own voice.

The program envisions much demonstration of proper uses of material and the equipment.

At the present time foreign language instruction is confined to the secondary school. The plan program includes an extension of foreign language instruction to the elementary schools. This involves a comprehensive teacher training program.

4.232 **Standards for Equipment.** Same as 4.212.

4.233 **Standards for Minor Remodeling.** Same as 4.213.

#### 4.3 **Local Educational Agency Projects**

##### 4.31 **Form**

Local educational agencies shall make application to the State Educational Agency on a project application form to be provided by the State Educational Agency.

##### 4.32 **Contents**

Districts shall submit separate and detailed plans for acquisition of equipment and/or minor remodeling for elementary and/or secondary schools setting forth:

1. Certification of local project by legal authority and local agency.
2. Scope of project—a general description.
3. List of material and equipment on hand suitable for use in project.
4. List of new or additional equipment and materials to be purchased for use in project.
5. Cost of this equipment and materials.
6. Amount of local funds.
7. Amount of Federal funds.
8. Subject matter area and grade level(s) to be served by project.
9. Number of pupils to be served by project.
10. Qualifications (identity) of personnel to be used in implementing program.
11. Evidence of continuing project.
12. Evidence of plans for evaluation.

#### **4.33 Time of Submittal**

Local educational agency projects may be submitted at any time during the fiscal year for which funds are applied after the local educational agency has determined its budget.

#### **4.34 Criteria to be Used in Approving**

In approving projects the State Educational Agency will apply the established principles of priority in such a way as to assure: (1) general upgrading on as nearly a universal basis as possible and (2) reaching at the earliest possible time the greatest number of pupils in the instruction of science, mathematics, and modern foreign languages.

The standards established by the State Agency in 4.2 will be used as the basis for approving projects under Section 303 (a) (1) of the Act.

#### **4.4 Reimbursement of Local Educational Agencies**

Local educational agencies will be entitled to reimbursement for approved projects on a uniform basis. Federal reimbursement is not to exceed 50% of the total expenditure. Reimbursement to local educational agencies will be contingent upon approval of projects as described under 4.3.

(Filed in the office of the Secretary of State September 25, 1962)

### **Revisions in the South Carolina State Plan for Strengthening Instruction in Science, Mathematics, and Modern Foreign Languages Through Title III of the National Defense Education Act of 1958**

(January 20, 1961)

Under Section 3.4, eliminate the sixth paragraph, which reads as follows:

All Supervisors in existing positions as they have been described in 3.1 will spend 25% of their time on the plan program in the field(s) in which they are qualified as described in 3.3 with duties as outlined in the paragraph immediately above.

Under the same section, eliminate the amendments to the sixth paragraph which were submitted to the United States Office of Education August 29,

1960, which were approved by that office September 26, 1961, to be effective as of August 31, 1961, and which read as follows:

Supervisors in the Division of Instruction in their existing positions as described in Section 3.1 will spend their time allotments as shown below, effective July 1, 1960, in the fields in which they are qualified as described in Section 3.3, with duties as outlined in the paragraph immediately above: State High School Supervisor 33 1/3%; Assistant High School Supervisor 33 1/3%; Chief Supervisor of Elementary Education 33 1/3%; Supervisor of Primary Education 33 1/3%; Supervisor of Library Services 33 1/3%; State Agent for Negro Schools 27.8%; Assistant State Agent for Negro Schools 20.7%; Field Supervisor 20.7%; and Supervisor of Negro Elementary Schools 28.2%.

Other personnel of the State Department of Education as listed below will spend the time allotments shown in the administration of the program; Director of the Division of Instruction 33 1/3%; Director of Certification and Teacher Education 25.6%; Director of the Division of School Administration and Finance 25.6%; Finance Office 19.5%; Accountant in the Division of Vocational Education 33 1/3%.

Secretaries of the personnel listed above will spend the same time allotments, with the exceptions of the secretaries to the Director of Certification and Teacher Education, the Director of School Administration and Finance, the Finance Officer, the Accountant in the office of the Division of Vocational Education, and the secretary assigned to the State Agent for Negro Schools, the Assistant State Agent for Negro Schools, and the Field Supervisor, none of whom shall have any time assigned to the program of Title III.

The secretary in the office of the High School Supervisor will be assigned 20.9%, and the Secretary in the office of Elementary Education will be assigned 22.2%.

With the elimination of the amendments cited Section 3.4, as amended, will read as follows:

Supervisory personnel on the state staff assigned to a plan program described in paragraph 3.3 shall hold a Supervisors Certificate as outlined in the bulletin "Requirements for Teacher Education and Certification" (p. 20) adopted by the State Board of Education, 1957. (Copy of "Requirements for Teacher Education and Certification" included.) All professional personnel on the state staff are employed by the State Superintendent of Education with the approval of the State Board of Education.

In addition the supervisors shall have demonstrated leadership abilities, shall have been active participants in the professional association of their specialty and shall have had successful teacher and/or supervisory experience in the field in which employed.

Whenever a person with these qualifications cannot be obtained, the State Superintendent of Education may employ, with State Board Approval, a person, who in his judgment is the best qualified person available.

The provisions outlined in 2.4 will apply for prorating time, salary, and travel and other expenses for personnel working under this plan part time and on other programs.

Personnel assigned to a plan program described in 3.3, shall have the following duties:

1. To provide guidance and in-service training in the fields of science, mathematics, and modern foreign languages for teachers, supervisors, and administrators.
2. To encourage and assist local school districts in establishing projects for improvement of instruction.
3. To assist in the development and use of curricular materials.
4. To plan and conduct workshops, clinics, and conferences directed toward improvement of instruction.
5. To assist in the development of standards for projects.
6. To assist in selection and use of equipment and materials acquired for projects.
7. To participate in a continuing evaluation of projects established under the state plan.

In addition to the reassignment of present personnel, the following additional personnel will or may be assigned to the program described in 3.3 with the duties as outlined immediately above:

A Coordinator of Title III who will work immediately under the Director of the Division of Instruction in the general administration and coordination of the plan program.

Six state-wide supervisors: one each in the field of science, mathematics, and modern foreign languages; one Supervisor of Audio-Visual Education; one Supervisor in charge of research and experimentation; and one Supervisor of Projects.

As the program expands and budget permits, twelve field supervisors: six of whom will be secondary school supervisors, two each in the fields of science, mathematics, and modern foreign languages; and six of whom will be elementary school supervisors, two each in the fields of science, mathematics, and modern foreign languages.

Consultants and specialists to be selected from recognized authorities in their respective fields to assist in duties outlined above in 3.3.

(Filed in the office of the Secretary of State May 7, 1963)

**Amendments to the South Carolina State Plan for Strengthening Instruction in Science, Mathematics, and Modern Foreign Languages Through Title III of the National Defense Education Act of 1958**

Under Section 2.31 after the words "local educational agencies" insert the words "and/or county boards of education" so that Section 2.31, paragraph one will read as follows:

2.31 The official accounts and documents showing receipts and expenditures of funds by local educational agencies and/or county boards

of education under the approved state plan will be maintained by the following agencies:

Under Section 2.32 after the words "local educational agencies" insert the words "and/or county boards of education" so that Section 2.32 will read as follows:

2.32 Acceptable private auditors or the State Educational Agency will audit the fiscal records of the local educational agencies and/or county boards of education participating in planned programs at least annually and copies of the reports of the audits will be available in the office of the State Department of Education.

Under Section 4.1 following paragraph six, insert the following paragraph:

Third priority will be given to applications from County Boards of Education, for projects which are administered by the County Superintendent and have county wide service to the schools within the county.

Under Section 4.31 after "local educational agencies" insert the words "and county boards of education" so that Section 4.31 shall read as follows:

Local educational agencies and/or county boards of education shall make application to the State Educational Agency on a project application form to be provided by the State Educational Agency.

Under Section 4.32 after the word "Districts" insert the words "and/or County Boards of Education" so that the statement shall read as follows:

Districts and/or County Boards of Education shall submit separate and detailed plans for acquisition of equipment and/or minor remodeling for elementary and/or secondary schools setting forth:

1. . . . etc.

Under Section 4.33 after the words "Local Educational Agency" insert the words "and/or County Boards of Education" so that the statement shall read as follows:

Local educational agency and/or County Boards of Education projects may be submitted at any time during the fiscal year for which funds are applied after the local educational agency has determined its budget.

Under Section 4.4 after the words "Local Educational Agencies" insert the words "and/or County Boards of Education" so that the statement shall read as follows:

Local educational agencies and/or county boards of education will be entitled to reimbursement for approved projects on a uniform basis. Federal reimbursement is not to exceed 50% of the total expenditure. Reimbursement to local educational agencies will be contingent upon approval of projects as described under 4.3.

#### **Teacher Education and Certification**

(Filed in the office of the Secretary of State September 25, 1962)

It was adopted "That the professional preparation on page 17 of the Certification Bulletin for the person who holds a provisional certificate be

reduced from 21 to 18 hours and that 3 hours in South Carolina history be required."

(Filed in the office of the Secretary of State September 25, 1962)

### **Certification Requirements for School Psychologist**

Effective July 1, 1966

Certification for service as a psychologist in elementary and secondary schools shall be on two levels as follows:

#### **School Psychologist—Class I**

A. Master's degree with a minimum of 36 semester hours of graduate study as set forth below:

#### **Semester Hours**

Area 1. Psychological Foundations—Theoretical and Experimental ..... 18

Each of the following areas must be included:

Experimental Psychology  
Learning Theory  
Educational Psychology  
Personality Theory  
Developmental Psychology  
Psychology of Exceptional Children

Area 2. Psychological Skills, Methods, and Techniques ..... 12

Each of the following areas must be included:

Clinical Methods: Individual Intelligence Testing  
Clinical Methods: Personality Assessment  
Techniques  
Statistical Methods, Theory and Procedure  
Remedial Methods in Reading

Area 3. Educational Foundations and School Organization ..... 6

History of Education  
Philosophy of Education  
School Administration  
School Practices and Methods of Teaching  
Curriculum

Area 4. Successful completion of an internship of one college semester as a school psychologist under the supervision of a certified senior school psychologist.

B. Recommendation from the college.

C. Health report, examination made at time of application for certificate.

D. Grade A or B on National Teacher Examination.

**Note:** Psychologists who may be employed by school districts prior to the year 1966 shall be eligible for certification as School Psychologist, Class I, provided they hold a master's degree in the field of psychology. It is expected that by 1966 the holders of such certificates shall have made substantial progress in meeting the requirements for the School Psychologist Certificate, Class I, as set forth above, with at least six semester hours

earned within the first two years. For those employed before 1966, three years of experience as school psychologist will waive the internship requirement.

**Senior School Psychologist—Class I—Advanced**

An earned doctor's degree including all requirements for the School Psychologist, Class I, plus 24 semester hours of additional graduate study as listed below:

|  | <b>Semester Hours</b> |
|--|-----------------------|
| Area 1. Psychological Foundations—Theoretical and Experimental .....   | 9                     |
| Each of the following areas must be included:  |                       |
| School Psychology (and Group Dynamics)   |                       |
| Psychology of Mental Retardation   |                       |
| Psychopathology  |                       |
| Area 2. Psychological Skills, Methods, and Techniques .....  | 6                     |
| Each of the following areas must be included:  |                       |
| Psychotherapy  |                       |
| Experimental Design  |                       |
| Area 3. Educational Foundations and School Organization ....   | 3                     |
| Three semester hours in fields listed in Area 3 under School Psychologist.   |                       |
| Area 4. Electives .....  | 6                     |
| An additional 6 semester hours in courses closely related to the student's interests and professional development. Philosophy, mathematics, sociology, and anthropology are recommended. |                       |

**Note:** Psychologists who may be employed by school districts prior to the year 1966 shall be eligible for certification as Senior School Psychologist, Class I—Advanced, provided they hold a doctor's degree in the field of psychology. It is expected that by 1966 the holders of such certificates shall have made substantial progress in meeting the requirements for the Senior School Psychologist Certificate, Class I—Advanced, as set forth above, with at least six semester hours earned within the first two years. For those employed before 1966, three years of experience as school psychologist will waive the internship requirement.

(Filed in the office of the Secretary of State September 25, 1962)

**Requirements for the Endorsement of the Certificate in the Field of Attendance Supervisor and One Other Teaching Field or Attendance Supervisor Only**

Effective July 1, 1966

|  |    |
|--|----|
| I. Bachelor's Degree                   |    |
| II. General Education                  |    |
| English .....                          | 12 |
| Biological and Physical Sciences ..... | 12 |
| Social Studies .....                   | 12 |

|                     |                 |
|---------------------|-----------------|
| Health .....        | 2 to 3          |
| Art and Music ..... | 4 to 6          |
| <b>Total .....</b>  | <b>43 to 45</b> |

## III. Professional Education

Professional training required for a teaching field and attendance supervisor:

Adolescent growth and development

Principles and philosophy of education

.....12 semester hours

Principles of learning, materials and methods

Directed teaching in chosen teaching field ..... 6 semester hours

**Total .....**18 semester hours

## IV. Requirements for the endorsement of the certificate in the field of attendance supervisor and one other teaching field:

A. Required subject matter for subject endorsement—see certification requirements bulletin pages 4-9 (Hours range from 18 to 30 semester hours)

B. Subject matter for attendance supervisors

Eighteen semester hours in any combination of courses listed below:

**Semester Hours**

|   |   |
|---|---|
| Social case work .....  | 3 |
| Introduction to sociology .....   | 3 |
| Welfare services .....  | 3 |
| Community structure and organization .....  | 3 |
| Social and child welfare .....  | 3 |
| Sociology of child development .....  | 3 |
| Techniques of guidance and counseling .....   | 6 |
| Educational sociology .....   | 3 |
| General school administration .....   | 3 |
| Approved electives (To come from psychology, sociology, social psychology, or anthropology) ..... | 3 |

**Alternate Requirement**

## III. Professional Education

Professional training required if the certificate is endorsed only as attendance supervisor:

**Semester Hours**

|   |           |
|---|-----------|
| Human growth and development .....  | 6         |
| General methods and materials of teaching in elementary and secondary schools ..... | 6         |
| Field practicum in the area of attendance supervisor or social work .....           | 6         |
| <b>Total .....</b>  | <b>18</b> |

## IV. Requirements for the endorsement of the certificate in the field of attendance supervisor only

Eighteen semester hours in any combination of courses listed below:

|  | <b>Semester Hours</b> |
|--|-----------------------|
| Social case work .....   | 3                     |
| Introduction to sociology .....  | 3                     |
| Welfare services .....   | 3                     |
| Community structure and organization .....   | 3                     |
| Social and child welfare .....   | 3                     |
| Sociology of child development .....   | 3                     |
| Techniques of guidance and counseling .....  | 6                     |
| Educational sociology .....  | 3                     |
| General school administration .....  | 3                     |
| Approved electives (To come from psychology, sociology,<br>social psychology, or anthropology) ..... | 3                     |

**Note:** (1) The above requirements do not affect those who now hold a South Carolina credential endorsed for attendance supervisory work. This program will affect only those securing employment as attendance supervisors after July 1, 1966.

(2) Upon application of a county superintendent of education, temporary endorsement may be permitted to those who now hold regular teaching certificates based on a bachelor's degree or who may later qualify for regular teaching certificates and who have two years of teaching experience, such credential to be extended year by year upon the completion of a reasonable amount of work (not less than three semester hours per year) toward full qualification as an attendance supervisor. This privilege is not to extend beyond July 1, 1966.

(Filed in the office of the Secretary of State September 25, 1962)

**Requirements for Teacher Education and Certification**

The attached bulletin, dated July 1, 1961, is a true and accurate copy of the new Requirements for Teacher Education and Certification. It contains the various revisions and amendments to the bulletin filed with the Secretary of State and the Code Commissioner October 14, 1957, which have been adopted by the Board at various meetings since that date and the publication date. It supersedes any rules or regulations heretofore adopted by the Board in conflict with rules and regulations published in this bulletin.

Those interested should refer to the copy filed in the office of the Secretary of State.

(Filed in the office of the Secretary of State May 7, 1963)

**Certification Requirements for School Superintendents**

The Section entitled **School Superintendent** under VII, "Specialized and/or Graduate Education for Superintendents, Principals, Supervisors,

and Specialists" of the bulletin, "Requirements for Teacher Education and Certification," is changed to read as follows:

**"School Superintendent**

- A. Valid principal's or teacher's certificate with grade A or B.
- B. Health report, examination made at time of application for certificate.
- C. Five years experience as teacher or principal within seven years preceding application.
- D. Completion of a two-year post baccalaureate program in an institution approved for the training of school superintendents.
- E. A recommendation from the institution in which the applicant has completed his training.

**Note:** The above regulation shall become effective July 1, 1967. Prior to this date, present regulations will be in effect."

(Filed in the office of the Secretary of State July 5, 1963)

The following supplements the bulletin "Requirements for Teacher Education and Certification" (1961), a copy of which is on file in the office of the Secretary of State.

"That the Board approve the following changes in the requirements for certificates issued to graduates of out-of-state institutions:

1. That no Group 4 certificates be issued under this provision.
2. That the last statement concerning renewals be changed to read: If the hours of credit are not earned each year toward removing the shortages, the certificate will be renewed for one year at a time on the same experience level in accordance with regulations concerning one-year renewals of regular certificates."

(Filed in the office of the Secretary of State July 5, 1963)

### **Trade Certificates**

The following supplements the bulletin "Requirements for Teacher Education and Certification" (1961), a copy of which is on file in the office of the Secretary of State.

**E. General Information Regarding Trade Certificates**

1. All certificates are dated July 1 of the fiscal year in which the certificate is issued.
2. **Citizenship**—A person must be a citizen of the United States and/or declare his loyalty to the Constitution of the United States.
3. **Age Requirement**—An applicant must be at least 18 years of age before making application for a certificate.
4. Any applicant for a trade certificate is eligible to stand the trade examination as many times as he desires. However, both the theory and practice parts of the examination must be taken and only the combined score of the same examination can be used. The highest score will be used by the Division of Teacher Education and Certification in computing the grade of the certificate. The State will pay the cost of the first examination. All subsequent examinations will be paid for by the applicant.

5. All certificates will be marked to indicate the area or subject in which the applicant is certified to teach.
6. Lapsed certificates may be reinstated by submission of evidence that the applicant has secured additional trade experience in the field in which the certificate was issued.
7. Applicants who are not able to move to the next group may renew their certificates for another period upon submission of evidence that the applicant has had a minimum of six weeks' work experience during the life of the certificate, or by attending a service school for 2 weeks (80 hours).
8. A teacher who had not planned to teach in this State, who is eligible for a certificate, and is employed after the closing date for applying for the Trade Examination will be issued a certificate showing group and class but no grade. The applicant will be required to take the examination at the next regular administration and the score on this examination will determine the grade of the certificate. Such grade shall become retroactive for the purpose of state aid as of the date the certificate was issued. If the examination is not taken at the next administration, the certificate reverts to a permit.
9. During a calendar year, September 15 to September 15, no teacher while employed full time may submit for certification purposes more than a total of 15 semester hours of college credit or a total of 17 semester hours when laboratory credits are included. (Laboratory credit must be considered a part of the course itself, as in the case of chemistry or physics, in order for an additional hour to be given over and above the 15 as indicated in the regulation.) Between the months of September and June no teacher while fully employed may earn more than six semester hours of college credit unless the course taken carries an additional laboratory hour. The maximum credit accepted toward certification for summer school is one semester hour per week, and in no case may a teacher exceed the total allowed during the calendar year as indicated above.
10. Not more than 25 per cent of the college credits listed for any specific requirement may be earned through correspondence except that in meeting a six-hour requirement, three semester hours by correspondence will be accepted.
11. The state high school certificate is accepted in lieu of high school graduation.
12. Apprenticeship
  - a. The standard training periods set up by the National Committee for Apprentice Training for the basic trades are accepted as the standard apprentice training periods for teachers in these trades.
  - b. Satisfactory completion of a prescribed course offered in a standard vocational school or trade department of a recognized high school operating in compliance with the Smith-Hughes Law shall be considered as meeting requirements for the learning or apprentice period in industry on a year for year basis. This is to be certified by the state supervisor of trade and industrial education. Com-

parable credit can be given for training in college related to the field to be taught, provided the maximum allowed for both college and high school is 100% of the total apprenticeship or learning period, or on a 75% basis for general college training.

- c. In occupations not apprenticeable, the learning period ceases when the worker becomes an operative with full pay for the job.

13. Work Experience

- a. Two thousand hours of work experience constitute a year.
- b. Experience in the armed services in the trade to be taught may count year for year as work experience.
- c. One thousand hours of work experience during the life of the permit or certificate or 500 hours of work experience during the life of the permit or certificate plus six semester hours in college work, technical, scientific, or vocational, will constitute a full year of work experience for a teacher holding a trade permit or certificate in Class IV, III, or II and remaining in continuous teaching service. The semester hours of college work to meet this condition are in addition to the semester hours required to advance the certificate as otherwise required in the plan. A permit or certificate may be advanced only once on this basis; thereafter, only 1,000 hours with teaching service will be accepted as a full year of work experience.
- d. In lieu of the six semester hours of college credit to make up part of the work experience in paragraph (c) above, attendance at a recognized special school in the teacher's area of instruction may be substituted with the approval of the State Supervisor of Trade and Industrial Education.
- e. Work experience not to exceed 300 hours may be obtained by teachers for bona fide employment between September 1 and May 31, provided it is approved and verified by the school superintendent or his agent.
- f. Approved supervised training may be used in lieu of college credit under the following conditions:
  - (1) Must be approved by the Supervisor of Trade and Industrial Education of the State Department of Education.
  - (2) Supervised training is limited to not more than the equivalent of 12 semester hours.
  - (3) Eighteen clock hours of supervised training is equal to one semester hour in certification.
  - (4) Training may not be counted twice in meeting any one requirement.

14. Substantiating Evidence Required

- a. **Work Experience**—A signed statement from employers must be submitted. In case of death of employer or in the event that the firm has gone out of business, a certified statement signed by the local and state supervisor must be presented.
- b. **Attending Manufacturer's School**—Substantiating evidence must be submitted to the State Supervisor of Trade and Industrial Education.

- c. **N. Y. A. Teaching Experience**—No N. Y. A. teaching experience will be credited; however, if the person was supervising an N. Y. A. shop and presents evidence that such was the case, he will be given credit for supervisory and work experience.
- d. **Civil Service Teaching Experience**—This will be accepted as work experience upon presentation of evidence.
- e. **Correspondence Schools**—If courses are in the trade which the applicant teaches or in general education upon presentation of substantiating evidence they will be evaluated and will be accepted in lieu of credit for the courses.

F. Types of Certificates

CLASS IV

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| <p>Group 1<br/>Probationary<br/>Trade<br/>Certificate</p> <p>Valid for<br/>Two Years</p> | <ol style="list-style-type: none"> <li>1. High school graduation or equivalent or college entrance requirements.</li> <li>2. Recommendations from employers, superintendent of schools, and State Supervisor of Trade and Industrial Education.</li> <li>3. Two years of successful work experience beyond the learning period or apprenticeship in the trade employed to teach.</li> <li>4. Grade A, B, C, or D on the trade examination in trade employed to teach. Examination must be taken during the first year of teaching or before employment.</li> <li>5. Two semester hours in methods of trade teaching under the supervision of State Teacher Trainer prior to teaching or during first year of teaching.</li> </ol> |
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Requirements are the same as those for a Class IV, Probationary Certificate plus:

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| <p>Group 2<br/>Intermediate<br/>Trade<br/>Certificate</p> <p>Valid for<br/>Five Years</p> | <ol style="list-style-type: none"> <li>1. Two years of successful teaching experience.</li> <li>2. Six weeks of approved work experience during probationary teaching period or during two years prior to issuance of this certificate.</li> <li>3. Grade A, B, or C on the trade examination in the trade employed to teach.</li> </ol> |
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Group 3  
Advanced  
Trade  
Certificate

There is no Group 3, Class IV Certificate.

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Group 4  
Permanent  
Trade  
Certificate

There is no Group 4, Class IV Certificate.

### CLASS III

Group 1  
Probationary  
Trade  
Certificate

Valid for  
Two Years

1. High school graduation or equivalent or college entrance requirements.
2. Recommendations from employers, superintendent of schools, and State Supervisor of Trade and Industrial Education.
3. Three years of successful work experience beyond the learning period or apprenticeship.
4. Grade A, B, or C on the trade examination in the trade employed to teach.
5. Two semester hours in methods of trade teaching under the supervision of State Teacher Trainer prior to teaching or during first year of teaching.

Requirements are the same as those for Class III, Probationary Certificate plus:

Group 2  
Intermediate  
Trade

Valid for  
Five Years

1. Two years of successful teaching experience.
2. Six semester hours in vocational education (total of 8 semester hours in vocational education which must include 2 semester hours in vocational teacher training). This must be in addition to semester hours granted in place of work experience.
3. Grade A, B, or C on the trade examination in the trade employed to teach.

Requirements are the same as those for Class III, Intermediate Trade Certificate plus:

Group 3  
Advanced  
Trade

Valid for  
Seven Years

1. Five year of successful teaching experience (total of seven years).
2. Six semester hours in vocational education or technical education (total of 14 semester hours).
3. Six weeks of approved work experience during the five years preceding the issuance of this certificate or 2 weeks attendance (80 hours) at some service school (manufacturer's or equivalent).
4. Grade A, B, or C on the trade examination in trade employed to teach.

Group 4  
Permanent  
Trade  
Certificate

There is no Group 4, Class III Certificate.

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### CLASS II

Group 1  
Probationary  
Trade  
Certificate

Valid for  
Two Years

1. High school graduation or equivalent or college entrance requirements.
2. Recommendations from employers, superintendent of schools, and State Supervisor of Trade and Industrial Education.
3. Four years of successful work experience beyond the learning period or apprenticeship.
4. Two semester hours in methods of trade teaching under supervision of State Teacher Trainer prior to teaching or during first year of teaching.
5. Grade A or B on the trade examination in the trade employed to teach.

No salary listed on state aid salary schedule for Group 1, Class II. Certificate will be issued in Class III.

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Requirements are the same as those for Class II, Probationary plus:

Group 2  
Intermediate  
Trade  
Certificate

Valid for  
Five Years

1. Two years of successful teaching experience.
2. Six semester hours in vocational education (total of 8 semester hours in vocational education which must include 2 semester hours in vocational teacher training).
3. Grade A or B on the trade examination in the trade employed to teach.

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Requirements are the same as those for Class II, Intermediate plus:

Group 3  
Advanced  
Trade  
Certificate

Valid for  
Seven Years

1. Five years of successful teaching experience (total of 7 years).
  2. Nine semester hours of college credit (total of 17 semester hours).
  3. Six weeks of approved work experience during the 5 years preceding the issuance of this certificate or 2 weeks (80 hours) attendance at an approved service school.
  4. Grade A or B on the trade examination in the trade employed to teach.
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Requirements are the same as those for Class II, Advanced plus:

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| Group 4<br>Permanent<br>Trade<br>Certificate<br><br>Valid during<br>Continuous<br>Teaching | <ol style="list-style-type: none"> <li>1. Seven years of successful teaching experience (total of 14 years).</li> <li>2. Nine semester hours of college credit (a total of 26 semester hours of college credit).<br/>           These must be directly related to the vocational education taught and earned during the past 7 years.</li> <li>3. Six weeks of approved work experience during the preceding 7 years or 2 weeks (80 hours) attendance at an approved service school.</li> <li>4. Grade A or B on the trade examination in the trade employed to teach.</li> </ol> |
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#### CLASS I

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| Group 1<br>Probationary<br>Trade<br>Certificate<br><br>Valid for<br>Two Years | <ol style="list-style-type: none"> <li>1. High school graduation or equivalent or college entrance requirements.</li> <li>2. Recommendations from employers, superintendent of schools, and State Supervisor of Trade and Industrial Education.</li> <li>3. Five years of successful work experience beyond the learning period or apprenticeship plus at least one of the following:           <ol style="list-style-type: none"> <li>(a) One year of supervisory experience during the 5 years of work experience.</li> <li>(b) Eight semester hours of vocational education and teacher training or the equivalent hours in foreman or supervisory training.</li> <li>(c) A chief petty officer or commissioned officer in the U. S. Armed Services for at least one year.</li> <li>(d) One year of experience in a closely related trade such as foundry, pattern making, electrical work, or machine work as related to drafting, or vice versa, for each. (This is in addition to 5 years of work experience required.)</li> </ol> </li> <li>4. Grade A or B on the trade examination in the trade employed to teach.</li> <li>5. Two semester hours of in-service teacher training under supervision of State Teacher Trainer prior to teaching or during first year of teaching.</li> </ol> |
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Requirements are the same as those for Class I, Probationary plus:

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| Group 2<br>Intermediate<br>Trade<br>Certificate<br><br>Valid for<br>Five Years | 1. Two years of successful teaching experience.<br>2. A total of 12 semester hours in vocational education which must include at least 2 semester hours in vocational teacher training.<br>3. Grade A or B on the trade examination in the trade employed to teach. |
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Requirements are the same as those for Class I, Intermediate plus:

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| Group 3<br>Advanced<br>Trade<br>Certificate<br><br>Valid for<br>Seven Years | 1. Five years of successful teaching experience (total of 7 years).<br>2. Twelve semester hours of college credit (total of 24).<br>3. Six weeks of approved work experience during 5 years preceding issuance of this certificate, or (a) 2 weeks attendance (80 hours) at a recognized service school.<br>4. Grade A or B on the trade examination in the trade employed to teach. |
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Requirements are the same as those for Class I, Advanced plus:

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| Group 4<br>Permanent<br>Trade<br>Certificate<br><br>Valid during<br>Continuous<br>Teaching | 1. Seven years of successful teaching experience (total of 14 years).<br>2. Eighteen semester hours of college credit making a total of 42 of which must be related to the vocational education taught and earned during the past 7 years.<br>3. Six weeks of approved work experience during the preceding 7 years, or two weeks (80 hours) attendance at an approved service school.<br>4. Grade A or B on the trade examination in trade employed to teach. |
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#### STANDARDS FOR JUNIOR COLLEGES OF BUSINESS

(Filed in the office of the Secretary of State September 25, 1962)

The State Board of Education through the State Department of Education accepts the responsibility to evaluate and accredit junior colleges of business. Those junior colleges of business so accredited shall be authorized to grant the appropriate associate degree or diploma.

A junior college of business shall be considered as a two-year institution devoted substantially to training at the collegiate level for semi-professional business occupations. Such training connotes an approved combination of general and specialized education appropriate to the develop-

ment of competencies needed for the semi-professional positions in supervision and management as well as the transmission of a common cultural heritage.

**Standard One—Aims and Objectives**

Each institution shall define and publish its objectives. Both general and specific objectives shall be listed. There shall be maintained in the office of the administrative head of the college evidences of the degree to which the college is attaining its objectives.

**Standard Two—Organization**

Legal evidence of the organization of the college and the character of its control must be available. A junior college of business may be a privately controlled institution but must be non-profit in character. The board of control may not have a financial interest in the institution and must have full authority to select, employ, or replace for cause any employee or officer of the institution.

Such an institution shall offer and require not less than sixty semester hours of work in appropriate sequence for graduation. (A semester hour is considered to be the equivalent of one clock hour of recitation per week for a full semester, said recitation requiring approximately two clock hours of preparation in the form of out-of-class study, required library reference work, etc. For those subjects that are more manipulative in character, two clock hours of such drill under the direct supervision of the instructor shall be considered the equivalent of one recitation hour. A semester is considered to be one-half of a regular nine-month term or eighteen weeks.)

A junior college of business that operates other less than two-year degree programs shall keep records and schedules in such a way that shows such programs as clearly separate and distinct from the degree program. Financial records must be such as to reveal quickly and accurately the full instructional costs of providing the degree program separate from other related programs.

**Standard Three—Entrance Requirements**

The two-year junior college of business shall require for admission to its standard degree program graduation from an approved secondary school with a minimum of sixteen acceptable units or twelve units from an approved three-year senior high school (or the high school certificate obtained by high school equivalency examination). Psychological and adjustment test information should also be secured by the college prior to or at the time of entrance.

**Standard Four—Faculty**

Junior colleges of business should have an adequate and competent faculty working under conditions that encourage the best efforts of each individual. Adequacy of faculty will be judged in terms of the scope of the curriculum, the methods of instruction employed, and the average number of students enrolled. The student-teacher ratio shall not exceed

20 to 1. In no case shall the faculty number fewer than four full-time members having teaching as their primary responsibility. The full-time faculty members should be representative of the principal areas of instruction offered by the college.

In judging competence, consideration will be given to the academic preparation and business experience of each teacher. At any one time, no teacher should be assigned to teach in more than three fields of instruction, and preferably in not more than two fields. Teachers should be assigned in terms of their major and minor preparation and related business experience. **At least one-half of the faculty teaching second-year work** must have master's degrees, L.L.B., C.P.A., or other professional equivalent. The minimum standards applicable to all schools and colleges must be met by all other faculty. Attention will also be given to the proportion of the faculty which has attended or graduated from the institution being visited.

Another measure of competency is the professional interest and activity of the teaching staff. Membership, attendance, and participation in professional associations and societies as well as publications are evidence of professional interest.

In determining satisfactory working conditions, consideration will be given to factors such as instructional load, appointment, tenure and promotion policies, rank and salary structure, provisions encouraging professional growth, and benefits that encourage stability of faculty.

Teaching loads should not be greater than 18 credit hours per week, including evening classes. Consideration will also be given to the number of clock hours of regularly assigned instruction, which should not exceed 25 per week, and the number of different preparations required.

Teachers should be appointed by official action of the board of control upon recommendation of the designated administrative officer. Notices of appointment should be in writing and contain all the conditions of employment including a statement of conditions necessary for tenure.

Careful consideration will be given the salary structure as well as the actual salaries paid. The salary schedule for teaching and administrative personnel should be related to preparation and experience and should be such as to attract, and retain on the staff, persons qualified to render effective service in their respective positions. The basis for judging the salary status is the median and maximum salaries paid, not merely a salary schedule. No full-time teacher shall be paid less than \$3,000.00 for a nine-month term.

Faculty morale will be checked by considering evidence of conditions that encourage instructors to give their best teaching efforts. Freedom of each instructor to make such necessary decisions as selection of textbooks and other teaching materials and teaching methods and to set standards for awarding credits and grades are important in this respect. Other conditions that will be considered are retirement, insurance and similar benefits, policies regarding leaves of absence and administrative encouragement for professional growth and improvement including reimbursement for travel expenses to professional meetings in their fields of instruction.

**Standard Five—Curriculum and Degree Requirements**

The curriculum is the usual means by which the objectives of a college are achieved. Hence each institution applying for accreditation will be expected to show that it offers such courses as are appropriate to its specific purposes including an adequate program of general education, of basic business education, and of business courses related to the objectives of the institution. The organization of the curriculum should be such as will best serve the students and is to be determined by each institution for itself.

The principal curriculum of the junior college of business **must be at least four semesters.**

Of the total credits required for the associate degree or diploma, a minimum of 50 per cent should be in business or economic subjects and at least 25 per cent in general education. General education subjects are considered to be those other than business and economics, provided that economic principles, economic history, and economic geography may be included in either category. For purposes of accreditation the term "general education" signifies acquaintance with the major areas of knowledge. It excludes work designed specifically to further occupational competence, including such subjects as business English and vocabulary building, business mathematics, and business psychology. The framework of the general education program should embrace work in **more than one of the following fields: mathematics, languages, literature, and related subjects such as psychology, the fine and practical arts, the communication arts and social science. The school may also elect to make offerings from the following fields if it so chooses: biological science, physical science, the humanities, religion, health education and recreation.**

In addition to general education, all junior colleges of business must offer work in at least two of the following fields: accounting, business administration and management, economics and finance, marketing, secretarial science, and office machines. Second-year work based upon appropriate first-year prerequisites shall be offered.

The curricula shall approximate, quantitatively and qualitatively, the standards in effect in recognized collegiate institutions offering associate degrees in business. Instructional procedures, texts, and materials should be those suited to the purposes, curricula, and standards of collegiate instruction.

Enrollment in the second year of a two-year program must be sufficient to support regularly scheduled and conducted class and laboratory work, and to insure high standards of instruction. Institutions must submit part-time and full-time enrollment figures for day and evening programs, by fields and by classes, and a record of the number of associate degrees and diplomas conferred for each of the preceding three years in relation to full and part-time enrollments.

**Standard Six—Financial Support and Expenditures for Instructional Purposes**

Each junior college shall show conclusive evidence that it is able adequately to finance the program proposed in its stated objectives.

1. For those institutions which depend upon student fees and do not have income from endowment, taxation, or other sources the minimum annual income shall be not less than \$20,000.00 for the first one hundred students or fraction thereof in full-time enrollment and \$10,000.00 for each additional one hundred students or fraction thereof plus an additional sum that shall be arrived at by multiplying the mean revenue derived from student tuition and fees in other junior colleges by the number of full-time students.
2. The expenditures for direct instructional purposes is an important factor in measuring the college program. To arrive at the direct instructional cost the following items are allowed:
  - a. The total salaries of the teaching staff omitting the salaries of all administrative officers.
  - b. The expenditures for salaries of librarians, library assistants, library supplies, purchase of books and periodicals for the library, cost of binding, repair and maintenance of library materials.
  - c. The expenditures for classroom, laboratory, and any other supplies used directly for instructional activities. Maintenance supplies and expenditures for permanent equipment are excluded.
  - d. The total sum thus derived should be divided by the average number of full-time students attending the institution during the regular session of nine months and the result should show a direct instructional expenditure of not less than \$200.00 for each full-time student for the first one hundred students or fraction thereof and not less than \$150.00 a student for each additional student.

**Standard Seven—Library**

The functions of the library should be determined by the educational program of the college. It should provide the study and reading facilities necessary to make the educational program effective, and there should be evidence that such facilities are appropriately used.

There shall be provisions for an adequate supply of up-to-date library materials and evidence of library use for all subjects in the program requiring by their nature library reference and study, including appropriate periodicals.

In estimating the adequacy of the library, attention will be given to the holdings of general and special reference works, current and bound volumes of periodicals, the number and variety of books, and audio-visual aids and equipment.

The book collection should be **up-to-date** and include materials for use by both students and faculty. Provision should be made for supplying technical books and periodicals for use by instructors. **A large collection of materials relating to subjects not offered in the curriculum will not be regarded as contributing to the effectiveness of the library.**

In judging the library, consideration will be given to evidence of use of library holdings by both students and faculty, including methods used to encourage use by students. **The library must be under the direction and supervision of a trained librarian (who may be part-time) or a teacher-librarian.** There must be a sufficient number of assistants to provide adequate supervision of the library. An adequate annual budgetary allowance must be expended for the purchase of books, periodicals, and other materials, and for salaries of librarians and assistants. Four dollars per student would be considered minimum for the annual expenditure for the purchase of books, periodicals, and other library materials.

#### **Standard Eight—Student Personnel Services**

The policies and services of an institution with reference to its students should be determined not only by the purposes of the institution but also by the character of its students. A junior college of business should admit to its degree or diploma programs only those students whose educational interests, aptitudes, abilities, and previous training qualify them to pursue collegiate preparation for business. In evaluating the student personnel services, attention will be given to recruitment and admission policies and procedures, student records, counseling and placement services, financial arrangements and student grants in aid, health services, housing, student organizations and activities.

Graduation from high school, as evidenced by a transcript of credits, should be the minimum requirement for admission to the day school program **for credit courses.**

Any deviation from this minimum must be justified by appropriate evidence, such as G.E.D. test results. The admission policy of an institution should provide guidance of prospective students based upon evaluation of previous records and estimates of probable future success. Recommendations from teachers and other individuals who are well acquainted with an applicant provide clues as to his interests and aptitudes. Tests and personal interviews given prior to admission also are useful in determining aptitudes and abilities. The rank of a student in his graduating class may be a good measure of his intellectual interests and probable success in college.

Recruiting procedures shall be ethical. Ethical recruiting practices are those that have as their objective the welfare of the student. An institution will be expected to provide not only an initial orientation program, but also a continuing program designed to enable the students to adjust successfully to their work and problems.

It is essential that adequate records be maintained to assist the students during and after admission and subsequent to graduation. Such records should embrace both academic and non-academic records. Academic records should include the complete official history of a student's academic career at the institution and a summary of his previous scholastic work. Students are entitled, in accordance with reasonable regulations, to transcripts of their academic records. The non-academic records should include such information as reports of interviews and vocational interests,

health notes, employment experience, family history, participation in extra-curricular activities, test results of various sorts, and his financial relations with the college.

An institution should provide such counseling service to students as will adequately meet their educational, vocational, and personal needs. This necessitates an organized counseling system in charge of a director or dean. Placement service should be maintained to provide part-time work for students and for employment following graduation. The college should also maintain contact with employers and should inform its students concerning employment conditions and opportunities and ways of obtaining positions.

**A college shall clearly state and explain in its information bulletin or catalog all financial requirements and arrangements, including a schedule of fees, tuition and other charges, estimated costs of books and supplies, methods of payment, and refund policies. Also, information concerning scholarships, loans, and grants of aid should be published. This statement should also indicate the conditions under which such aid is available and awarded, the obligations of recipients, and the procedure to follow to apply for such aid.**

Consideration will be given to evidence of other personnel services usually furnished by collegiate institutions, such as health and medical examinations and service, and housing and food service. Evaluation will be made of an institution's extra-curricular and student activity program, with a view to determining the opportunities for developing student leadership and participation in social, religious, athletic, and recreational life. Inquiry will be made as to procedures for control and financing of these activities.

#### **Standard Nine—Plant and Equipment**

The physical plant, comprising grounds, buildings, and equipment, should be adequate for the efficient conduct of the educational program of the institution, in accordance with its purposes. In judging the plant, consideration will be given to the adequacy, effectiveness, and maintenance of such features as:

Site and location; type of buildings, including adequate provisions for safety; classrooms, laboratories and other facilities appropriate to an effective business program; library; offices for instructional, administrative, and clerical staff; health, recreation, and athletic facilities; auditorium and dormitories. If the plant is not owned by the institution, **evidence of long-term occupancy and lease should be presented to demonstrate the stability of the institution.**

(Filed in the office of the Secretary of State September 25, 1962)

The State Board of Education in its meeting on March 16, 1961 adopted the following report of the committee appointed to recommend standards for junior colleges of business for degree granting purposes:

"The Committee recommends to the State Board of Education that it approve the granting of appropriate associate degrees by junior colleges

of business who meet the criteria for junior colleges of business established by The Accrediting Commission for Business Schools. Determination as to meeting the standards of these criteria may be accomplished by:

1. Accreditation as a junior college of business by the Accrediting Commission for Business Schools and approval by the State Board of Education, or

2. Approval by a sub-committee appointed by the State Board of Education and ratification by the latter. The sub-committee may accomplish its mission by inspection and/or review of application and other records deemed pertinent, using the standards established by the Accrediting Commission for Business Schools.

It is suggested that the sub-committee be composed of a representative of a school or department of business in a senior college, a representative of a junior college, and a representative of a junior college of business.

It is further recommended:

1. That the initial approval of the awarding of the associate degree by a junior college of business be for a period of five years, subject to re-evaluation during this period.

2. That further consideration be given during the next five years to the interest on the part of the junior colleges of business for full accreditation under standards to be developed."

#### **High School Regulations**

(Filed in the office of the Secretary of State September 25, 1962)

The attached booklet is a true and correct copy of High School Standards adopted by the State Board of Education. It incorporates various rules and regulations adopted by the Board at various meetings from August 21, 1959, through July 20, 1961, and supersedes any rules and regulations heretofore adopted by the Board in conflict with rules and regulations published in this Bulletin.

Those interested should refer to the copy filed in the office of the Secretary of State.

(Filed in the office of the Secretary of State September 25, 1962)

The following was adopted by the State Board of Education, September 15, 1961. It is a regulation supplementing the booklet. **Standards for Accredited High Schools of South Carolina**, 1961, and supersedes any rule or regulation heretofore adopted by the Board which may be in conflict.

"Each accredited high school shall have a guidance program that meets the following minimum standards:

1. A qualified counselor with time assigned for guidance activities with a counselor-student ratio of the equivalent of one full-time counselor for each 500 pupils or one period of guidance for each 100 pupils. When a qualified counselor is not available, a certified teacher with a minimum of six graduate semester hours in guidance courses may be approved. Continued approval may be granted provided he con-

tinues to work toward becoming fully certified and earns such certification within a three-year period.

2. Provides adequate physical facilities for guidance activities.
3. Provides adequate materials for use by pupils and counselors.
4. Includes the following services:
  - (a) Orientation
  - (b) Educational and Occupational information
  - (c) Follow-up and placement
  - (d) Personal and social problems
  - (e) Providing data for administrators, teachers, and other professional personnel on the nature, characteristics, and needs of individual pupils, group of pupils, and for the community in general.
5. Has a testing program that provides at least one mental maturity and one achievement test between grades 7-10.

(This standard to become effective at the beginning of the 1962-63 school year.)"

(Filed in the office of the Secretary of State September 25, 1962)

The following constitutes a new regulation of the "Standards for Accredited High Schools of South Carolina" which has been filed in the office of the Secretary of State. This regulation supersedes any rule or regulation heretofore adopted by the Board which may be in conflict.

It was adopted "That the Board make American History a required subject in either the seventh or eighth grade, effective at the beginning of the 1962-63 school session."

### High School Diplomas

(Filed in the office of the Secretary of State September 25, 1962)

1. Students who are over 19 years of age and under 21 may be awarded a state high school diploma provided the following conditions are met:
  - a. Have received the state high school certificate of equivalency.
  - b. Have satisfactorily completed the local school's requirements.
  - c. Have attended an approved adult school for a minimum of 120 clock hours of instruction.
  - d. Have submitted evidence of satisfactory completion of South Carolina history and United States history or satisfactorily complete both courses in the adult school or pass an examination on both courses to the satisfaction of the local school.
  - e. Have not been enrolled in school for a minimum of six months prior to enrolling in an adult school.
  - f. Have been recommended to the State Board of Education by the principal of the adult school, the district superintendent, and the chairman of the board of trustees.
2. Students who are over 21 years of age may be awarded a state high school diploma provided the following conditions are met:
  - a. Have received the state high school certificate of equivalency.
  - b. Have satisfactorily completed the local school's requirements.

- c. Have attended an approved adult school for a minimum of 120 clock hours of instruction.
- d. Have submitted evidence of satisfactory completion of South Carolina history and United States history or satisfactorily complete both courses in the adult school or pass an examination on both courses to the satisfaction of the local school.
- e. Have been recommended to the State Board of Education by the principal of the adult school, the district superintendent, and the chairman of the board of trustees.

#### **Elementary School Regulations**

(Filed in the office of the Secretary of State September 25, 1962)

The attached Bulletin, "Standards of Accredited Elementary Schools of South Carolina", dated April, 1962, represents the Standards officially approved by the State Board of Education, July 15, 1960, and incorporates the rules, regulations, and revisions adopted by the Board from that date through April 20, 1962. These Standards supersede any rules and regulations heretofore adopted by the Board which may be in conflict.

Those interested should refer to the copy filed in the office of the Secretary of State.

(Filed in the office of the Secretary of State September 25, 1962)

The following constitutes a regulation affecting the "Standards for Accredited Elementary Schools of South Carolina." The regulation supersedes any rule or regulation heretofore adopted by the Board which may be in conflict.

At a meeting of the State Board of Education held July 20, 1962, the following was adopted:

"That the implementation of the standards in **Part Four—Physical Facilities** be postponed one year."

#### **Area Vocational Schools**

(Filed in the office of the Secretary of State May 7, 1963)

The attached statements pertaining to Area Vocational Schools were adopted by the State Board of Education April 24, 1962, and become official regulations of the Board.

It is the policy of the State Board of Education to encourage local school districts to provide programs of vocational education that meet as fully as possible the needs of the boys and girls of the State. In furtherance of this policy, area vocational schools to serve the needs of the pupils of the several high schools of a district, or of two or more adjoining districts within a county, and also cooperative programs making use of existing facilities within the several schools of a district or area, including the transportation of pupils during the school day from school to school, will be approved by the Board if the following conditions are met:

1. The scheduling of such programs shall in no way interfere with or weaken any other part of the total program of a participating school.
2. The pupils assigned to such programs shall be carefully selected after adequate counselling.

3. The time consumed in the transportation of a pupil from one school to another shall in no case exceed one class period per day and shall not be counted as part of class time.
4. The minimum bus load shall be 10 pupils.
5. The minimum class enrollment shall be 15.
6. All participating schools shall be fully accredited high schools.
7. Satisfactory provision shall be made for financing, supervising, and administering all programs, or parts of programs, that are not an integral part of the program of an accredited high school.

When the conditions outlined in the paragraphs above, and such other conditions as the Board may from time to time specify, have been complied with, the Board will request the Educational Finance Commission to provide the necessary transportation.

## STATE BOARD OF ENGINEERING EXAMINERS

### Rules and Regulations

Promulgated under authority of Section 56-711 of the 1962 Code

(Filed in the office of the Secretary of State July 16, 1963)

#### 1. Meetings:

The Board will hold not less than three meetings a year, spaced approximately three months apart, the dates to be selected by the Chairman and the Secretary. Special meetings may be called by the Chairman at his discretion or at the request of three members of the Board, provided that at least five days' notice in writing be given to every member of the Board. Meetings will be held at such place as a majority of the Board may direct. A majority of the Board shall constitute a quorum.

#### 2. Election and duties of officers:

The officers of the Board shall be elected at the regular Summer meeting of the Board, and shall hold office until their successors are elected and qualified.

The Chairman, and in his absence the Vice-Chairman, shall perform the usual duties of this office.

The Secretary shall keep a careful record of all proceedings of the Board, act as custodian of all records, the seal, and other property and papers belonging to the Board. He shall prepare annually and submit to the Board a written report covering the transactions of the Board for the fiscal year immediately preceding, together with a list of all land surveyors and professional engineers registered under the authority of the Act, with their addresses and date of registration; and a complete statement of all receipts and expenditures for the fiscal year. This report will be signed by the Chairman and the Secretary and forwarded to the Governor and a copy filed with the Secretary of State, as required by said Act.

The secretary will be furnished such clerical assistance and paid such salary as the Board may direct.

The secretary will give a surety bond in the sum of three thousand dollars, as provided in the Act, said bond to be approved by the Board.

**3. Seal of the Board:**

The seal of the Board shall be circular in form and  $1\frac{7}{8}$  inches in diameter. Concentric with the outside of the seal there shall be a circle  $1\frac{1}{4}$  inches in diameter, within which there shall be a replica of the device used on the Seal of the State of South Carolina, and in the annular space between the circle and the outside of the Seal there shall appear the words, "State Board of Engineering Examiners." All official papers, registration certificates, and other formal documents of the Board shall bear the imprint of this Seal.

**4. Seal of registered engineers and land surveyors:**

The seal of engineers and land surveyors registered by the Board shall be  $1\frac{9}{16}$  inches in diameter and similar to that prescribed for the Board. In the center there shall appear the words, "Registered Professional Engineer", in the case of engineers; the words, "Registered Land Surveyor", in the case of land surveyors; and the words, "Registered Professional Engineer and Land Surveyor", in the case of engineers and surveyors. In the space between the circle and the outside of the seal shall appear the words, "South Carolina" and the name of the registrant. The seal or facsimile thereof shall be placed on each sheet of plans and on the title page of specifications when issued.

**5. Annual renewal fees:**

All certificates of registration will expire on June 30 of each year unless renewed during the month of June in accordance with the provisions of the Act. On payment of the required annual renewal fee a renewal registration card will be issued to the registrant. The renewal fee for professional engineers shall be seven dollars and the renewal fee for land surveyors shall be five dollars. In the case of a registrant who is registered as both professional engineer and land surveyor, only one fee of seven dollars shall be required.

**6. Applications for Registration:**

All applications for registration shall be filled out completely on the forms supplied by the Board. No application will be considered unless properly filled in and sworn to before an officer authorized to administer oaths. They shall be received by the Secretary at least 45 days prior to the next meeting of the Board in order to be considered at that time. The forms must be completed on a typewriter and in all cases be accompanied by the required fee. If an application for registration is not approved by the Board the initial fee deposited shall be retained as an application fee and not refunded to the applicant.

In the case of a candidate who applies for registration as both professional engineer and land surveyor at the same time, only one application fee of thirty dollars shall be required. The remaining five dollars of the registration fee as professional engineer shall be paid when registration is approved.

An applicant shall not be admitted to the written part of the examination until satisfactory replies shall have been received from his references

and the Board has reviewed his application and approved his admission to the written examination. The applicant should advise his references that he has used their name, in order to avoid delay in replies to the Board.

The application and experience record, as filled out and submitted by the applicant, and verified by his references, is an important part of the examination. The evaluation given for this part of the examination shall be based not only on the duration of time spent in engineering work of a responsible character, but also on the importance and nature of the work.

#### 7. Qualifications for Registration:

(1) It shall be the policy of the Board that all applicants who have passed the EIT examination but who do not have a **specific record** of more than four years of **satisfactory experience** that indicates they are **competent to practice engineering** and the evidence presented in their applications is **not conclusive** and **does not warrant** the issuing of a certificate of registration, be required to pass Part II (8 hours) of written examination. Applicants who are graduates of an approved engineering curriculum but **do not meet the qualifications referred to above** and who **did not pass the EIT examination** shall be required to pass both Parts I and II (16 hours) of the written examination.

(2) Before an applicant who is not a graduate of an approved engineering curriculum is permitted to take the written examination, he must show a **specific record** of more than eight years of **satisfactory experience** which indicates that he is **competent to practice engineering**.

(3) An applicant who is more than thirty-five years of age shall have a **specific record** of more than twelve years of **lawful practice in engineering** work including **outstanding accomplishments** in order to be exempted from the written examination.

#### 8. Examinations:

When oral or written examinations are required the candidate will be notified by the secretary as to the time and place of the examination. Examinations shall be given by the Board, or a Committee of the Board, or under the direction of the secretary. In all cases final decision as to whether or not a candidate has passed a written examination, or shall be approved for registration, must be acted on by the full Board, or a quorum thereof, at a regular meeting of the Board.

Examination questions will be prepared by members of the Board or by qualified persons appointed by the Board to prepare and grade examination questions. When persons other than members of the Board are engaged to prepare and grade examination questions they shall be paid for their services such an amount as may be approved by the Board. The written part of the examination requires two days. Part I, the first-day examination (originally I and II), will consist of 8 hours in engineering fundamentals normally offered in an approved engineering curriculum. Part II, the second-day examination (originally III), will consist of 8 hours covering professional engineering practice and including subjects in the applicant's major field. Examinations in narrow specialties will not be given. Part I (8 hours) will be graded as one examination requiring

an average grade of 70% to pass. The Engineer-in-Training examination will be the same as Part I and will be graded in the same manner and shall constitute a credit for a period of ten years. Part II (8 hours) will be graded as one examination requiring an average grade of 70% to pass. The written examination for Land Surveyors will consist of 8 hours in two periods and will be graded as one examination with an average passing grade of 70%.

Where an applicant has failed the written examination he may be given a re-examination at the discretion of the Board but not in less than one year. An applicant who has failed the written examination three times will be required to wait three years after the date of his last examination before he can take the written examination again and will be required to take the complete written examination that was originally assigned to him.

**9. Reinstatement of expired certificates:**

Any registered professional engineer or registered land surveyor who submits to the Board an affidavit certifying that he has in no way practiced or offered to practice in South Carolina, professional engineering if an engineer, or land surveying if a land surveyor, during any registration year from July 1 to June 30, accompanied by a statement showing in detail all work performed during this period, may be exempted by the Board from payment of the annual renewal fee prescribed in Section 56-733, S. C. Code of 1962 for the specific period stated in his affidavit, provided the application for reinstatement of registration is accompanied by the renewal fee for the current year.

**10. Registrants of other states, registration by endorsement:**

The Board may, upon application therefor, properly prepared on the prescribed form and the payment of the fee of twenty-five dollars, issue a Certificate of Registration as a Professional Engineer to any person who holds a Certificate of Qualification issued to him by the National Bureau of Engineering Registration, or who is legally registered or licensed in any state or territory of the United States, or in any country, provided the applicant's qualifications meet the requirements of this Act and the rules established by the Board.

**11. Temporary permits:**

An engineer registered in another state, and in good standing, may be permitted to practice engineering in this state for a period not exceeding thirty (30) consecutive days on any one project during any calendar year provided he applies to the South Carolina State Board of Engineering Examiners in writing prior to the time he starts work, submitting evidence that he is legally registered and in good standing and pays a fee of fifteen dollars with his request. Upon verification of his registration and in the absence of any evidence that he is not qualified to practice in his own state, the Secretary of the Board will give the applicant a letter of authorization to practice on the project named for the designated period. The thirty-day period shall include the time spent on the project in his home or branch office as well as the period in this state.

If an applicant for a temporary permit wishes to practice for a period longer than thirty consecutive days, he shall apply for registration in this state in accordance with Section 56-724 of the 1962 Code.

### STATE BOARD OF REGISTRATION FOR FORESTERS

(Promulgated under authority of Section 29-38 of the 1962 Code)

(Filed in the office of the Secretary of State September 20, 1962)

The South Carolina State Board of Registration for Foresters hereby adopts the following rules, regulations and procedures.

1. **Headquarters:** William J. Barker, Clemson College, Clemson, South Carolina.
2. **Officers:** The Board will elect officers each year at the regular summer meeting to serve for one year commencing at the following regular winter meeting (Section 7). The following officers will be elected:
  - a. **Chairman**—Whose duties shall be:
    - (1) To preside at meetings of the Board.
    - (2) To appoint all committees.
    - (3) To sign all certificates and other official documents.
    - (4) To call special meetings as required.
    - (5) To submit to the Governor, as of June 30, each year, a report of the Board transactions for the preceding year.
    - (6) To notify all other State Boards of Registration for Foresters of the reciprocity provision of the Act (Section 19).
    - (7) With Secretary, sign all warrants to pay for legal expenses of Board (Section 14).
    - (8) Perform all duties pertaining to the office of the Chairman.
  - b. **Vice-Chairman**—Whose duties shall be:
    - (1) To perform duties of the Chairman during his absence.
    - (2) To publicize action, policy, purpose and principles of the Board.
  - c. **Secretary**—Whose duties shall be:
    - (1) To give a surety bond to the State in amount of \$3,000.00, premium to be paid out of the fund of the Board (Section 8).
    - (2) Receive and account for all money (Section 14).
    - (3) With Chairman sign warrants.
    - (4) To conduct and care for all correspondence in the name of the Board.
    - (5) To keep a record of the proceedings of the Board (Section 10).
    - (6) To keep a record of filing of applications for licenses and all other evidence of qualifications, including examination papers and other pertinent documents submitted by each applicant and an official register of all Certificates of Registration and of renewals.
    - (7) To give notice in writing of the expiration of any license to the holder thereof and keep the Register up to date (Section 17).
    - (8) A roster will be prepared during the month of July each year, showing names and places of business of all registered foresters.

Copies will be mailed to each registrant and it will be placed on file with the Secretary of State (Section 11).

- (9) To attest all Certificates of Registration.
  - (10) To notify members of meetings.
  - (11) Any other duties required by law or that may be assigned by the Board.
3. **Meetings:** Regular meetings of the Board for examining applicants or reviewing applications, and for other business will be held in Columbia in July and January if practical on dates designated by the Chairman. Special meetings of the Board will be called by the Chairman by giving ten (10) days notice of the meeting to members.
4. **Quorum:** Three (3) members of the Board shall constitute a quorum but no action may be taken without three (3) votes in accord.
5. **Seals:** The Seal of the Board was adopted at the meeting on October 13, 1961. It shall be used on all official papers, registration certificates and other formal documents of the Board.
- Each registered forester may use an impression seal or stamp on his plans, maps, specifications and reports. The seal shall be circular, 1 and 5/8 inches in diameter and the stamp shall be 1 and 3/4 inches in diameter both of which are standard size. Both designs shall be similar to the following:
- |   |   |
|---|---|
| SOUTH CAROLINA<br>Registered Forester No. 3<br>W. J. BARKER | SOUTH CAROLINA<br>Registered Forester No. 3<br>W. J. BARKER |
|---|---|
6. **Committees:** The Chairman shall appoint committees as needed by the Board (Section 9).
7. **Application for Registration:** (Section 13) Requests for registration will be made to the Secretary, State Board of Registration for Foresters, Clemson College, Clemson, South Carolina. Application forms will be supplied upon request.
- Applicants shall supply all information requested on the forms or otherwise required and must execute the form. In each case, the applicant must provide unequivocal proof that he meets requirements for registration. Failure to follow the instructions will necessitate rejection of the application or its return for completion.
- Fee for registration will be \$15.00 (Section 13). Applications will be accompanied by check or money order in amount of \$10.00 and the remaining \$5.00 will be paid within 30 days after being notified that he has successfully qualified. Failure to pay the \$5.00 (second payment) within thirty (30) days may require the applicant to reapply in which case the original fee (\$10.00) will be forfeited and a second payment of \$10.00 must accompany the second application.
8. **Requirements for Registration:** (Section 12) Section 12 (1) (2) (3) will, with other provisions of the Act, completely govern actions of the Board in considering each application. Specific rulings and inter-

pretations will be added to those listed below as the need for them arises.

Section 12 (1): Schools accredited by the Society of American Foresters will automatically be accepted by the Board. Other schools will be considered as they come up.

Two or more years experience must be subsequent to date of receiving degree in Forestry except in unusual circumstances as approved by the Board.

Section 12 (2): The passing grade on all written examinations shall be 70%.

Section 12 (3): Time limit for applying under this section is hereby set as May 17, 1962.

At least 8 years experience in the practice of forestry shall mean professional services relating to forestry (Section 2, b).

The Board will consider each applicant on the basis of his qualifications as they meet requirements of the Act.

9. **Expiration and Renewal:** (Section 17) Licenses shall expire on the last day of June, each year, and shall become invalid on that date unless renewed. At least one month prior to expiration date of any license, the Secretary will notify each registrant of the date of expiration of his license and the fee required for its renewal for one year. The annual renewal fee until changed by the board is hereby set at \$5.00. Renewal payment must be made during the month of June each year or within the ensuing 10 months by payment of an additional fee of 50¢ for each month or fraction thereof beyond the month of June. The Board will make an exception to the foregoing renewal provisions in the case of a person who is in the Armed Services of the United States.
10. Registration will be determined on a basis of individual, personal qualifications and no firm, company, partnership, or corporation shall be licensed. (Section 18.)
11. **Reciprocity** (Section 19): Any person of good moral character licensed to practice forestry by any other state or country whose requirements are commensurate with the requirements of this state may upon payment of \$15.00 fee be registered to practice forestry in this state. Any applicant, a resident of another state who wishes to be registered in South Carolina, must first be registered in the State of residence provided there is a State Board of Registration in that State except in unusual cases as determined by unanimous consent of the Board.
12. **Information:** All correspondence regarding registration should be addressed to Mr. William J. Barker, Secretary, State Board for Registration for Foresters, Clemson College, Clemson, South Carolina.
13. **Statement of Guiding Definitions:** The following definitions will guide the Board in evaluating applications for a license as Registered Forester. For other forestry definitions the Board will be guided by

FORESTRY TERMINOLOGY, published by Society of American Foresters.

a. Professional—Webster Unabridged:

"The occupation, if not purely commercial, mechanical, agricultural or the like, to which one devotes oneself; a calling in which one professes to have acquired some special knowledge used by way of instructing, guiding, or advising others or of serving them in some art."

b. Forestry—SAF "FOREST TERMINOLOGY"

"The scientific management of forests for the continuous production of goods and services."

c. Forestry—Webster Unabridged:

"The science and art of forming, caring for or cultivating forests; the management of growing timber."

d. Forester—SAF "FOREST TERMINOLOGY"

"A person who has been professionally educated in forestry or who possesses qualifications for the practice of forestry essentially equivalent to graduation from a recognized school of forestry."

e. Forester—Webster Unabridged:

"A person who is trained in forestry, especially one in charge of public or private forests or charged with the promotion of the interests of forestry."

14. **Activities:** (services) which are not considered by the Board to be qualifying under Section 2(b) of the Act.

a. Marking timber as a member of a crew without responsibility for determination of objectives, volumes, values or other purposes for which the timber is being marked is not considered professional forestry service.

b. Business managers, administrators, plant managers and accountants are not considered to be engaged in professional forestry service unless such a person is responsible for the application and practice of forest management and forest economics.

c. Scaling of forest products is not considered to be professional forestry service. Measurement in terms of forestry is defined as the science of the measurement of volume, growth and development of individual trees and stands and the determination of various products obtainable from them.

d. Management of wood yards, and the duties incident thereto, is not considered to be professional forestry service or responsible supervision of the forestry specialties enumerated in the Act.

e. Cutting, hauling, loading, storing and processing forest products are not considered professional forestry services.

f. Forest protection for purpose of professional forestry service will be limited to those persons specializing in the formulation of plans and programs and the administration of all activities concerned with the prevention and control of damage to forests from fire, insects, disease, or other injurious and destructive agencies. Forest workers or forest fire fighters including tractor plow operators, fire or crew

- bosses, dispatchers, lookouts, scouts, crewforemen, forest pest control workers, and the like, will not be considered as serving in a **professional capacity**.
- g. Silvicultural practices such as reforestation and timber stand improvement will not be considered professional services unless the applicant has responsibility of technical determinations and not just **physical labor involved in applying the practice**.
  - h. The buying and selling of woodlands, or the products thereof, shall not be considered professional forestry services unless such dealer, broker or real estate operator shall also be actively engaged in forest management and such operations are part of the forest management function.
  - i. Compassmen and tallymen in timber cruising parties are not considered to be performing professional forestry services.
15. **Training and Apprenticeship Periods:** It is the consensus of the Board that an applicant cannot initially transfer from unrelated activity to a forestry activity and be immediately qualified to perform professional forestry services. A substantial period (at least one year) of education, training and apprenticeship is considered to be a prerequisite.

### BOARD OF HEALTH

Promulgated under authority of Section 32-8 of the 1962 Code

#### Swimming Pools

(Filed in the office of the Secretary of State August 29, 1962)

Change the "Rules and Regulations Relating to Public Swimming Pools", filed in the office of the Secretary of State May 3, 1960, as follows:

- (1) Page 1, Par. 2, under "Definitions":
  - (a) Omit "Type B" Large hotels of more than 100 units, with pools having a water surface area in excess of 1600 square feet."
  - (b) Change "Type C" to read as follows:  
"Motels, apartments, multiple housing units at resort areas with temporary occupancy, hotels, and trailer parks. These pools not open to the general public."
- (2) Page 3, "Definitions", Par. 25:  
Change "maximum operating level" to "minimum operating level".
- (3) Page 4, Sec. A, Par. 3, "Location":
  - (a) The location of the pool shall in no way hinder the operation for which it is designed nor adversely affect bathers' safety or water quality.  
(ADD)
  - (b) Outdoor pools should not be located where they will be exposed to excessive pollution by dust, smoke, soot, or other undesirable substances.
- (4) Page 4, Sec. A, Par. 5, "Shape and Slope":
  - (a) The pool shall be designed and constructed of such contour, shape, etc., that efficient and safe control of the bathers can be accomplished.

The transition point or break point between the shallow and deep ends shall be at a depth of not less than four feet, six inches (4' 6"). The pool floor shall have a uniform slope from shallow end to transition point and shall not exceed one foot (1') vertical to ten feet (10') horizontal. The minimum depth shall be three feet (3').

(ADD)

(b) In any pool where the break point is at a depth less than five feet six inches (5' 6"), there shall be a lifeline across the pool on the shallow side of the break point made of approved material and with floats at not less than 10-foot intervals.

(5) Page 5, Par. 6, Sec. A:

(a) Line 4, omit "B" after the word "Types".

(b) Line (6) omit "B—4 feet".

(6) Page 6, Sec. A, Par. 9:

Change from "At least one skimmer shall be provided for each 800 square feet, or fraction thereof, of water surface area provided acceptable handhold is installed" TO "At least one skimmer shall be provided for each 500 square feet, etc.".

(7) Page 7, Sec. A, Par. 11:

Pool Inlets and Outlets: Delete: "Maximum flow rates (in gpm) through various sized inlet branches shall be not more than as listed below:

|      |    |     |     |      |
|------|----|-----|-----|------|
| Size | 1" | 1¼" | 1½" | 2"   |
| GPM  | 10 | 20  | 30  | 50 " |

Change "around the entire perimeter" TO "around the entire perimeter on 15-foot intervals".

(8) Page 8, Sec. A, Par. 13:

Change the first two paragraphs to read as follows:

"The determination of sizes of pipe, fittings, and valves on the complete main pump suction line from the swimming pool shall be based upon a rate of friction losses for piping of not more than 6 feet per 100 feet based upon Williams-Hazen formulae using the following c values:

Iron pipe—c = 100

Copper pipe—c = 120

PVC pipe—c = 140

(Must be approved by National Sanitation Foundation (nSf) or other laboratory acceptable to S. C. State Board of Health.)

Proposals to use pipes of materials other than specified will be reviewed by the State Board of Health and approval granted if so merited in accordance with current good engineering practices.

All piping on the discharge side of the pump for filtration and to the point for discharge of backwash water from the filter plant shall have pipe sizes determined on a basis of friction losses which shall be not more than 12 feet per 100 feet based upon Williams-Hazen formulae using the c values given above."

## (9) Page 10, Sec. A, Par. 17:

Change from "The length of the diving bowl to slope break shall be a minimum of 20 feet" TO "shall be a minimum of 24 feet".

## (10) Page 11, Sec. A, Par. 19:

(a) Change "The supporting bed consisting of graded gravel or other materials shall support, etc." TO "The supporting bed of graded gravel (a depth of at least 16 inches) or other materials shall support, etc."

## (11) Page 16, Par. 21, Sec. A:

(a) Line 4, omit "B" after the word "Types".

## (12) Page 19, Sec. A, Par. 23:

Change "The bottom shall have a minimum slope of not less than 1/4" per foot towards waste outlets." TO "The bottom shall have a minimum slope of not less than 1/4" per foot nor a maximum of more than 5/8" per foot towards the waste outlets. A traction floor surface shall be provided."

## (13) Page 22, Sec. A, Par. 30:

Miscellaneous Requirements: Delete.

## (14) Page 26, Par. 7, Sec. B:

Add following paragraph prior to "Public Health Reason":

"Placard—The maximum number of swimmers allowed at any time will be displayed on a placard posted in a conspicuous place within the swimming pool area. This maximum number will be determined by the above limitations. This placard will be weatherproof and have bold lettering not less than 1/2 inch high."

## (15) Page 27, Par. 9, Sec. B:

Delete entire section (except "Public Health Reason") and substitute: "9. Safety Precautions. Type "A" swimming pools must have one or more lifeguards on duty at all bathing hours. There shall be a minimum of one elevated lifeguard chair for each 2,000 square feet of pool surface area or fraction thereof. If the pool is greater than 2,000 square feet of surface area and the width is 40 feet or more, lifeguard chairs shall be on each side of the pool. The pool area shall be locked when not under supervision.

"No swimming pool shall allow solo bathing.

"All pools shall be equipped with first-aid kit, a stretcher, two woolen blankets, one or more light but strong poles, and one or more ring buoys. At least one employee, having had first-aid training, should be on hand at all times. There should be a telephone available with a list of emergency telephone numbers."

**Sanitary Control of the Shellfish Industry**

(Filed in the office of the Secretary of State December 18, 1962)

Rules and regulations of the State of South Carolina governing **The Sanitary Control of the Shellfish Industry**, page 256 of Volume 17 of the **Code of Laws of South Carolina, 1962**, Paragraph 2.4, are hereby amended to delete the words "for market purposes" from this paragraph.

**Nursing Homes and Institutional Nursing Infirmaries**

(Filed in the office of the Secretary of State January 16, 1963)

AMENDMENT NUMBER 1  
TO THE  
MINIMUM STANDARDS FOR  
LICENSING IN SOUTH CAROLINA  
NURSING HOMES  
AND  
INSTITUTIONAL  
NURSING INFIRMARIES  
(TO REPLACE PART III "CLASSIFICATIONS")

**Type of License:**

The following types of license will be issued:

**Class I:**

To institutions that (1) have a majority of their beds housed in a structure which meets the appropriate rating for fire safety, and (2) exceed the minimum Licensing Standards.

**Class II:**

To institutions that (1) have a majority of their beds housed in a structure which does not meet the appropriate rating for fire safety but is equipped with a complete automatic sprinkler system, and (2) exceed the minimum Licensing Standards.

**Class III:**

To institutions that meet substantially the minimum Licensing Standards.

Institutions that have nursing personnel specified in the table below and have one additional employee for each three (3) beds are to be considered for licensing purposes as "exceeding" the Minimum Standards:

| <b>Bed Capacity</b> | <b>No. of RN's</b> | <b>No. of RN's<br/>and/or LPN's</b> | <b>Total<br/>Licensed<br/>Personnel</b> |
|---------------------|--------------------|-------------------------------------|---|
| 0-22 .....          |                    | 2                                   | 2                                       |
| 23-40 .....         | 1                  | 3                                   | 4                                       |
| 41-85 .....         | 2                  | 4                                   | 6                                       |
| 86-120 .....        | 3                  | 5                                   | 8                                       |
| 121-165 .....       | 4                  | 6                                   | 10                                      |
| 166-210 .....       | 5                  | 7                                   | 12                                      |

(To be inserted on Page 7 of the Nursing Home Standards.)

**INDUSTRIAL COMMISSION**

Promulgated under authority of Section 72-59 of the 1962 Code

**Rule No. 32**

(Filed in the office of the Secretary of State December 4, 1962)

Any physician who examines or treats an employee seeking benefits under this Act shall file with the Industrial Commission a medical report of findings and conclusions concerning the employee's complaints of injury within fifteen days after examination and within fifteen days after final treatment; and periodic medical progress reports, during treatment of an injured employee, shall be filed by the treating physician with the Industrial Commission at reasonable intervals. All medical information relevant to complaints of injury, by an employee, shall, on demand, be furnished by the physician directly to the employer and employee, or their authorized representative. For any physician not complying with this rule, no charges for services rendered, appliances or supplies furnished, will be approved by the Industrial Commission; and the employer-carrier or the employee shall not pay for such charges unless it be established at a hearing that such failure to comply with this rule was justifiable.

**Rule No. 33**

(Filed in the office of the Secretary of State October 31, 1962)

**A. THE RECORD**

Each party shall arrange and present all evidence at the hearing as scheduled. Testimony of any necessary witness unable to appear at the scheduled hearing shall be presented at the hearing by deposition in accordance with the general statute of South Carolina relating to filing of a deposition in civil proceedings.

**B. POSTPONEMENT**

Postponement of the hearing as scheduled may be granted only for a legal reason (as defined below) fully set forth and established by the moving party and approved by the hearing Commissioner before or at the time of the scheduled hearing. Should a hearing be cancelled without a legal reason the responsible party or attorney shall be assessed by appropriate order an administrative cost not to exceed Fifty (\$50.00) Dollars.

Legal reasons for postponement:

1. Attorney of record actually engaged in court of record.
2. Inability of a party to appear due to sickness.

**C. ADJOURNMENT**

Testimony of any witness who resides or conducts his business within forty miles of the hearing site shall be presented at the scheduled hearing and adjournment to procure such testimony may be allowed only when the witness has failed to respond to proper subpoena. Adjournment may be allowed only for presenting additional evidence when such evidence is in existence, identified, and necessary for decision and when notice and motion for adjournment has been filed with the hearing Commissioner and the opposing party three days before the scheduled hearing.

**INSURANCE COMMISSION**

Promulgated under authority of Section 37-56 of the 1962 Code

**Investments****Amendment to Regulation**

(Filed in the office of the Secretary of State July 25, 1962)

Paragraph 1 (C) of that Regulation bearing the above title, dated July 20, 1960, and as modified on date of February 3, 1961, is amended to read as follows:

Loans secured by first mortgages or deeds of trust on improved unencumbered real estate in the United States and its possessions or the Dominion of Canada, or the entire issue of bonds secured thereby, in an amount not exceeding seventy-five per cent of the fair market value of such real property, based on the lesser of at least two sound appraisals by competent appraisers and duly certified thereto, provided that the investments in any one mortgage or in any one issue of bonds does not exceed twenty thousand dollars or ten per cent of the company's admitted assets, whichever is greater; and may also loan upon the security of improved unencumbered real property in any state, if the security is eligible for insurance and is insured under provisions of the National Housing Act and any amendments thereto. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire and tornado for the benefit of the mortgagee, in an amount not less than the difference between seventy-five per cent of the value of the land and the amount of the loan. Real estate shall not be deemed to be encumbered within the meaning of this regulation by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights of way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants, nor when such real estate is subject to lease in whole or in part, whereby rents or profits are reserved.

The above limitation of seventy-five per cent shall not apply to first mortgages or deeds of trust accepted as part payment for real estate sold by the insurer, except such mortgages shall not exceed the bona fide insurer's purchase price of such real estate or seventy-five per cent of the fair market value of such real estate or seventy-five per cent of the fair market value, determined as explained above, whichever is greater.

Loans secured by first mortgages on leasehold estates having an unexpired term of not less than 35 years, inclusive of the term or terms which may be provided by enforceable options of renewal shall be permitted under the terms of this Section, subject to all provisions thereof, provided the underlying real property is not subject to any prior lien, further provided that the loan agreement provides for amortization of principal to be made annually or more frequently over a period of not more than 25 years, and further provided that the

mortgagee is entitled to be subrogated to all rights under the leasehold and there is no condition or right of re-entry or forfeiture not insured against under which the insurer is unable to continue the lease in force for the duration of the term.

#### **Coupon Policies; Separation of Premium on Face of Policy**

(Filed in the office of the Secretary of State November 2, 1962)

Whenever coupon policies, annual allocation policies, or any similar policies are issued or sold in this State, extra premiums for such coverage must be separately shown on the face of the policy in type of similar size and color to that used in setting forth the annual premium. The excess premium shall be shown by appropriate wording such as "Extra premium for coupon benefits, \$———" "Extra premium for annual allocation benefits, \$———" "The annual premium includes an extra premium of \$——— for coupon benefits", and the like.

Until such time as present policy forms are exhausted, a properly worded rubber stamp may be used. When new forms are printed, they shall be presented to the Insurance Department for approval.

#### **Credit Insurance**

(Filed in the office of the Secretary of State December 4, 1962)

1. For a period in excess of two years, this Department has had under study the sale, and premium charges, of insurances in connection with consumer finance. By concurrent resolution dated March 9, 1962, the General Assembly requested this Department to examine the premium rates for accident and health insurance sold in connection with consumer finance under the Small Loan Act toward the end of establishing realistic rates in the State of South Carolina. Although life and property insurances are presently sold in this State in addition to accident and health insurance, both through licensed and unlicensed small loan lenders and by other than small loan lenders, the rate adjustments established by this Regulation are confined to accident and health insurance written pursuant to the provisions of the Small Loan Act.

##### **2. Definitions:**

(a) "Credit Life Insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other credit transaction;

(b) "Credit Accident and Health Insurance" means insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is disabled as defined in the policy;

(c) "Credit Property Insurance" means insurance on personal property securing a specific loan or other credit transaction against physical damage, destruction or loss.

3. On and after February 1, 1963, the premium rate of all accident and health insurance policies providing indemnity to or on behalf of persons in this state, issued in connection with loans made under the provisions of the Small Loan Act, shall not exceed four and one-half (4½%) per cent

of the maximum indemnity (\$2.70 per annum per \$5.00 unit of monthly indemnity), nor shall any such insurance provide for a waiting period in excess of three (3) days and benefits shall be retroactive to the first day of disability. Premium rates applicable to accident and health insurance policies, riders and endorsements, written in connection with loans made under the Small Loan Act, shall, from date of February 1, 1963, be filed with this Department.

4. Copies of all agent or agency contracts entered into by insurance companies writing any business in connection with loans made pursuant to the provisions of the Small Loan Act shall be filed with this Department.

5. (a) Undue delay by insurance companies writing any credit insurance business in collecting and depositing remittance of monthly balances is prohibited.

(b) Records of such business shall be submitted not less frequently than once a week to the writing companies by the writing agents.

(c) All claims in connection with credit insurance shall be reported to the insurer by the lender within forty-eight (48) hours after notice of such claim, whether notice has been presented to the lender orally or in writing.

6. No person connected with a lending agency, directly or indirectly, shall adjust or attempt to adjust any credit insurance claim.

7. (a) Payment of credit insurance claims shall be made only by the insurer, and shall be paid to the creditor to reduce or extinguish the unpaid indebtedness unless waived in writing by the creditor and, wherever the amount of insurance may exceed the unpaid indebtedness, then any such excess shall be payable to the debtor, a beneficiary, other than the creditor, named by the debtor or to the debtor's estate. The unearned insurance premium, if any is due, shall be similarly repaid and shall be computed as of the date of death or loss.

(b) For single premium decreasing term insurance, refunds shall be computed in accordance with the "Rule of 78".

For single premium level term insurance, refunds shall be computed on a pro rata basis.

8. The agent shall furnish the borrower, within thirty (30) days after a loan is made, a policy or certificate of insurance covering any credit insurance procured by or through the agent which shall set forth the amount of any premium or identifiable charge which the borrower has paid or is obligated to pay, the amount of insurance, the term of insurance and a complete description of the risks insured. Insurance on life, earning capacity, or personal property shall not be sold to more than one party obligated on a loan.

9. No insurance shall be written in connection with any loan whereof the cash to the borrower, actually received, is twenty (20) dollars or less.

10. The assessment or collection of policy writing fees on any policy of credit insurance is prohibited.

11. No borrower under the provisions of the Small Loan Act shall be charged any premium for lien-endorsement coverage.

12. No borrower under the provisions of the Small Loan Act shall be charged any premium for non-recording insurance coverage.

13. Every hospitalization or accident and health claim shall be supported by the certificate of a licensed medical physician.

14. All insurance written under the provisions of the Small Loan Act, except property insurance, shall be limited to coverage on a single interest or decreasing balance basis.

15. Every insurance company writing credit life insurance for a Small Loan licensee shall furnish copies of all death claims to the Small Loan Division of the Board of Bank Control, including in each instance the name of the Small Loan licensee through whom the death claim is paid.

16. Credit accident and health insurance shall be written to the nearest month on weekly repayment loans. On monthly payment contracts, accident and health insurance shall not be written for a term in excess of the term of the note.

17. If the amount of the loan is not multiple of five (5) dollars, the amount of credit life insurance may be written for the next highest multiple of five (5) dollars.

18. The periodic repayment indemnity under credit accident and health insurance may be written for the next highest multiple of five (5) dollars.

19. Insurance companies writing credit insurance shall maintain adequate records so that full and detailed information as to premiums, claims and expenses, of such insurance will be available to the Insurance Department whenever requested by it.

20. Any plan which in effect, whether directly or indirectly, tends to evade the requirements and spirit of this Regulation is prohibited.

21. That Regulation dated December 12, 1961, and entitled "Credit Insurance" is cancelled and superseded effective February 1, 1963.

#### **Brokers' Licenses**

(Filed in the office of the Secretary of State March 5, 1963)

1. No person shall be licensed as an insurance broker to represent citizens of this State for the placing of insurance unless such person, at the time the initial or renewal application is made for an insurance broker's license, possesses a valid, current insurance agent's license for that line of business for which the brokerage authority is intended to apply, and has been so licensed as such an insurance agent for not less than two (2) years.

2. Every broker's license issued shall be restricted to those lines of business for which specific application is made and must be supported by record of prior issuance of agent's license for such lines of business. The limits of authority of all brokers' licenses shall be plainly set forth on the face of the license.

#### **Uninsured Motorist Fund Distribution**

Promulgated under authority of Sections 46-138.6 and 37-56 of the  
1962 Code

(Filed in the office of the Secretary of State March 1, 1963)

It appears that all companies authorized to write automobile liability insurance contracts in this State have been requested to provide appro-

priate premium and loss statistics for the year, 1961, and have been advised that any such company not reporting by January 21, 1963, will not be entitled to participate in the distribution of the South Carolina Uninsured Motorist Fund for 1961.

It further appears that all such companies have provided the statistics requested, or, by failure to provide such statistics, have waived participation in the distribution for the year, 1961.

It further appears that the appropriate formulae for distribution consistent with the provisions and intent of Section 46-135 et seq., South Carolina Code of Laws, 1962, is as follows:

1. The fund distributable shall comprise an amount equal to the total uninsured motorist losses and loss expenses paid by all companies, so reporting, writing automobile liability business in South Carolina, from date of January 1, 1961, to December 31, 1961.
2. The fund distributable shall be separated on the basis of total written premiums for private passenger writings and total written premiums for all other automobile liability writings.
3. Distribution shall be made from the total "private passenger" distributable fund, pro-rata to participating companies on the basis of company insured car years to the total of all companies insured car years.
4. Distribution shall be made from the total "all other" distributable fund, pro-rata to the participating companies on the basis of company "all other" written premiums to the total of all companies "all other" written premiums.

Therefore, distribution shall be made from the Uninsured Motorist Fund, in accordance with the above formulae, to the extent of total uninsured motorist losses and loss expenses paid during the calendar year, 1961, out of uninsured motorist funds collected for the automobile registration year, 1961, less deduction of expenses by the South Carolina Highway Department.

Promulgated under authority of Act No. 275 of 1963

(Filed in the office of the Secretary of State July 31, 1963)

The June, 1961 edition and any amendments which may be made to the National Board of Fire Underwriters' Pamphlet No. 58 shall be followed in its entirety as to the minimum requirements for public safety pertaining to any of the subject matters covered by Act 275 of the 1963 Acts and Joint Resolutions of the State of South Carolina. A copy of this pamphlet is filed in the office of the Secretary of State. Those interested should refer to this copy.

#### MENTAL HEALTH COMMISSION

Promulgated under authority of Section 32-924 of the 1962 Code

(Filed in the office of the Secretary of State March 20, 1963)

#### Mail Regulations

For the purpose of carrying out the provisions of Section 32-1021, Code of Laws of South Carolina, 1962, and also in accordance with postal regu-

lations providing in general that "mail addressed to patients or inmates at institutions, unless otherwise directed by the addressee, is delivered to institution authorities, who in turn will deliver the mail to the addressee in accordance with the institution's rules and regulations," the following regulations are hereby adopted.

1. Outgoing mail from patients or trainees at the South Carolina State Hospital and Pineland, A State Training School and Hospital, may be censored, but if intelligible will be mailed unless the article contains obscene material or obviously false or misleading information, or would be rejected by the postal authorities for these or other reasons.

2. Incoming mail for patients or trainees may be censored but will be delivered with all contents excepting medicines, inflammables, intoxicants, dangerous weapons, obscene materials, or other contents that cannot be adequately or safely received or stored at said institutions PROVIDED any items received by mail for patients or trainees that are not considered deliverable shall be called to the attention of the Director of Administrative Services or his designee for proper disposition.

#### **STATE BOARD OF NURSING**

Promulgated under authority of Section 56-967 of the 1962 Code

(Filed in the office of the Secretary of State July 9, 1963)

##### **Practical Nurse Education**

Regulation adopted January 18, 1963 added to Regulations of the State Board of Nursing for South Carolina filed with the Secretary of State June 30, 1959 unless otherwise noted.

Regulation No. 26. The length of a program in Practical Nurse Education, Section 56-1011 and 56-1016.

Each program in practical nurse education shall be **twelve consecutive** months in length. This period of time shall include two weeks vacation.

#### **STATE BOARD OF EXAMINATION AND REGISTRATION OF PHYSICAL THERAPISTS**

Promulgated under authority of Section 56-1340 of the 1962 Code

(Filed in the office of the Secretary of State July 9, 1963)

The following regulations are promulgated relating to the operation of the Board in carrying out the provisions of the Physical Therapists Practice Act.

##### **SECTION I. Composition of Board and Duties of Officers.**

A. The Board shall elect from its members a president and a secretary-treasurer, who shall have the privilege of re-election.

B. The election of officers shall be held at the regular spring meeting, unless a special meeting therefor is designated by the Board in which event due notice in writing shall be given of said special meeting not less than seven days in advance thereof, said notice to state the purpose of such meeting.

C. The President shall preside at all meetings of the Board. In the event the president is unable to attend any meeting a chairman for such meeting will be elected from the members in attendance to preside in the president's absence.

D. The secretary-treasurer shall:

(1) keep accurate minutes of the meetings and submit a report at each meeting;

(2) supply each member of the Board with a copy of the minutes of a meeting as soon as possible following the meeting;

(3) keep all records of the Board;

(4) handle all official correspondence of the Board;

(5) notify all members of meetings of the Board;

(6) collect all fees from registrants;

(7) keep an accurate account of all receipts and disbursements;

(8) make an annual financial report to the Board of moneys received and expended;

(9) see that accounts are audited in accordance with accepted business standards;

(10) prepare annually in January of each year a list of registered physical therapists and mail a copy of such list to the superintendent of every known hospital in South Carolina, and every person licensed to practice medicine and surgery in South Carolina.

E. The Secretary-treasurer shall give such bond as the Board shall, from time to time, direct, the cost of such bond to be paid out of the funds of the Board.

F. All disbursements from the funds of the Board must have the approval of the president.

## SECTION II. Meetings of Board.

A. The regular meeting of the Board shall be held annually in the spring in conjunction with the annual meeting of the Physical Therapists Association.

B. Special meetings may be called at the discretion of the president, and shall be called upon written request signed by two members of the Board.

C. Notice of any meeting shall be in writing at least seven days in advance of such meeting; for a regular meeting such notice shall state the time and place of such meeting; for a special meeting such notice shall state the time, place and purpose of such meeting.

D. Three members of the Board shall constitute a quorum but a less number may adjourn the meeting to any specific subsequent time and place.

E. A majority vote of these members in attendance shall be sufficient to pass on such matters up for consideration of the Board.

## SECTION III. Ethics of Physical Therapists.

A. The code of ethics for physical therapists registered under South Carolina law shall be that adopted and currently in use by the American Physical Therapy Association.

**SECTION IV. Procedure for Application for Registration and Examination.**

A. A physical therapist who plans to practice the profession in South Carolina must apply for registration prior to or immediately upon beginning employment in the State.

B. Credentials required for registration and examination are to be submitted by the applicant to the secretary of the Board as follows:

(1) Official verification of graduation from a school of physical therapy approved by the American Medical Association; or, if graduated prior to 1936, the school course approved by the American Physical Therapy Association at the time of graduation;

(2) References from three people, a doctor and two physical therapists, under whose supervision the applicant has practiced physical therapy;

(3) For new graduates, references from a doctor and a physical therapist associated with the school from which the applicant graduated;

(4) Official application form of the Board filled out by the applicant;

(5) If applicant is currently registered in another state or territory and is requesting registration in South Carolina by endorsement, official verification of registration in the other state or territory including the date and manner (written examination, grandfather clause, or reciprocity), in which the registration was obtained, and the applicant's registration number.

C. Application for registration will be acted upon by the Board when the (required) registration fee, and all credentials, are in the hands of the Board.

D. If credentials of applicant be acceptable and application fee has been paid, the Board shall grant provisional registration until the next examination period, or for justifiable reason until a subsequent examination.

E. A fee as required by law shall be charged for temporary registration.

F. The Board shall grant a special examination when it deems the same to be necessary.

**SECTION V. Notice of Examination to be published.**

A. The Board shall meet at least once each year for the purpose of examining applicants for registration.

B. Notice of the date and place of examination shall be published in "The State," Columbia, South Carolina, a newspaper of general circulation in South Carolina, ten days in advance of such examination; additional announcements of the holding of such examination may be given to the leading newspapers in the State and in journals of the profession.

C. Written notice of the time, date and place of examination shall, in addition to the published notice, be sent to all applicants accepted for examination; such notice may be by United States mail addressed to the address of the applicant shown in his application.

**SECTION VI. Examination Requirements.**

A. Physical therapists are required to pass a written examination for registration to practice the profession in South Carolina, except as otherwise provided by law.

B. The written examination shall be of the objective type—multiple choice, true-false, or matching type questions. The examination is procured from the Professional Examination Service of the American Public Health Association, reviewed and approved by the Board prior to its use.

C. The written examination shall be proctored by at least one Board member and/or by the personnel of a professional testing service.

D. In addition to the written examination, the Board has the right to require a practical and/or oral examination in cases where the Board deems it necessary to establish the qualifications of an individual.

E. Evaluation of examination results and determination of passing scores shall be done by:

(1) no less than two members, selected by the Board, in the event of the written and/or oral examination.

(2) one member of the Board, appointed by the president, in the event of a practical examination.

F. The grade required for passing the examination before the Board shall be an average of not less than seventy-five per cent on all subjects examined upon and not less than sixty per cent on any individual branch.

G. Failure of examinations:

(1) An examinee who fails to pass may be given a second examination at the next examination period. He may be granted temporary registration until the next examination at the discretion of the Board.

(2) A candidate who fails to pass a second examination shall be eligible for a third only after having pursued additional studies in physical therapy for a minimum of one year and shall furnish the Board with evidence of such further studies.

H. An applicant for registration who does not meet the requirements as set forth in the South Carolina Practice Act shall be refused permission to take the examination.

I. An applicant to whom the Board has refused examination may have a hearing before the Board.

#### SECTION VII. Lapsed Registration and Notice to Employer.

A. Registration automatically lapses after January 1st of any year in which the required fee has not been paid.

B. The employer shall be notified when a physical therapist is known to continue practice in South Carolina after his registration has lapsed.

#### SECTION VIII. Refusal to Renew Registration or Revocation of Registration.

A. The Board shall refuse to renew registration of any physical therapist or shall revoke the registration of any physical therapist who is guilty of any of the acts as set forth in the South Carolina Physical Therapy Practice Act or of violation of the ethics for physical therapists as set forth by the American Physical Therapy Association.

B. The Board may take action to refuse to renew registration or may revoke the registration by a majority vote of its membership after notice

to the registrant and a hearing on the matter upon its being made satisfactorily to appear that the registrant is guilty of one or more of the acts set forth in the Act or of violation of the ethics for physical therapists.

SECTION IX: Rules and Regulations to be Sent to Each Registrant.

A. A copy of these rules and regulations shall be sent to each physical therapist with his certificate of registration.

SECTION X. Provisions for Endorsement of Registration.

A. The South Carolina Physical Therapy Practice Act provides for "endorsement" of registration in other states, if the applicable requirements for registration of physical therapists were at the date of his registration substantially equal to the requirements under this act.

B. Approval of registration by endorsement shall be considered on an individual basis. If the applicant's credentials, requirements of registration in another state, or current professional capabilities are in question, then this candidate may be required to undergo an interview by the Board at one of its meetings.

C. At the time of application for registration through endorsement of another state's registration, said registration in the other state must be currently in effect.

D. If applicant has been registered in more than one state, verification of registration in the initial state and in the current state are both required.

**SOUTH CAROLINA REAL ESTATE BOARD**

Promulgated under authority of Chapter 28 of Title 56 of the 1962 Code  
(Filed in the office of the Secretary of State October 3, 1962.)

Adopted June 5, 1962; superseding those adopted September 28, 1961 and those adopted September 22, 1960.

It is the purpose of this Board, acting under the provisions of the Act creating it, to safeguard the public interest in real estate transactions and to regulate the licensing of real estate brokers, salesmen, counsellors, appraisers, and property managers; and to encourage the maintenance of high ethical practices by all such real estate licensees doing business in the State of South Carolina.

I. The South Carolina Real Estate Board will deem any person acting as a real estate broker, salesman, counsellor, appraiser, or property manager in violation of the Real Estate Licensing Act should he commit any one of the following acts:

- A. Making any substantial and willful misinterpretation.
- B. Making any false promises of a character likely to influence, persuade, or induce.
- C. Pursuing a course of misrepresentation or making of false promises through agents or salesmen.
- D. Intentionally advertising, whether printed or by radio, display, or other nature, which is misleading or inaccurate in any material par-

ticular or in any way misrepresents any property, terms, values, or policies or services of the business conducted.

- E. Acting for more than one party in a transaction without the knowledge of all parties for whom he acts.
- F. Acting in the dual capacity of broker and undisclosed principal in any transaction.
- G. Accepting a commission or valuable consideration as a real estate salesman for the performance of the acts specified in this Act, from any person except the licensed broker by whom he is employed.
- H. Representing or attempting to represent a real estate broker other than the broker by whom he is engaged or associated without the express knowledge and consent of the broker with whom he is associated.
- I. Guaranteeing or authorizing or permitting any person to guarantee future profits which may result from the resale of real property.
- J. Failing, within a reasonable time, to account for and to remit any monies coming into his possession which belong to others.
- K. Paying a commission or compensation to any person for performing the services of a real estate broker or real estate salesman who has not first secured his License under this Act.
- L. Being unworthy or incompetent to act as a real estate broker or salesman in such a manner as to endanger the interest of the public.
- M. For making of dual sets of Sales Contracts, written or otherwise, which would falsify the transaction in an effort to obtain a larger loan from any lender or lending institution, or for the purpose of misinforming any Governmental Agency.
- N. Any other conduct, whether of the same or a different character from that hereinbefore specified, which constitutes improper, fraudulent, or dishonest dealing.

## II.

- A. For the proper and orderly control of the real estate business in South Carolina, every person licensed by the State must be affiliated with a licensed firm, even though that firm be wholly or in part owned by the licensee.
- B. Any person applying for a temporary license who lives within the recognized area of a town or city of more than five thousand persons (U. S. Government 1960 Census), must operate under a licensed office managed by a REGULAR licensee, for the period of time that the new licensee is a temporary licensee. This Regulation is only effective for temporary licensees whose licenses were or will be approved on or after October 1, 1961. Should any applicant wish this section waived, he must submit to the Commissioner in writing his request for such waiver, giving his reason therefor; and, when such request is received, it shall be presented to the South Carolina Real Estate Board by the Commissioner at their next Quarterly Meeting for approval or disapproval. Only the South Carolina Real

Estate Board has the authority to approve or disapprove such requests.

- C. After June 5, 1962, no broker's license applied for shall be issued unless the applicant is 21 years of age; no salesman's license applied for shall be issued unless the applicant is 19 years of age. If a request for waiver of this provision is made to the Commissioner, action on that application must be postponed until the next regular meeting of the Board, at which time the Board will judge the merits of each application.

III.

- A. Any person failing to pass a real estate examination will be allowed an opportunity to take a second examination within thirty (30) days at no additional cost. If he fails to stand the examination within that thirty days, his license is to be automatically revoked. Notice to the Commissioner of intent to retake the examination must be given within five (5) days after notice from the Commissioner that the licensee has failed in his first attempt.

IV.

- A. A Licensee must report to the Commissioner any change of address or any change in employment within ten days after such change and the employing broker must report the termination of said licensee's affiliation with his firm in like manner.

V.

- A. To better determine the qualifications of all applicants for temporary license, it is hereby made a part of these Regulations that all applicants for temporary license, submitting application after June 5, 1962, shall be required to come to the Office of the Commissioner in Columbia, without expense to the Commissioner, for the purpose of a personal interview with the Commissioner. The Commissioner shall notify applicant when to come for such interview (normally within fourteen days of date application is received). Applicant is again cautioned that he is **not** licensed until so advised by the Commissioner.

VI.

- A. All complaints against real estate brokers, salesmen, counsellors, appraisers, or property managers, must be in writing and given to the Commissioner.

VII.

- A. All applications for renewal of licenses must be filed on or before June 30th of each year. In event of failure on the part of the applicant to file his renewal by July 31st, of each year, he shall be required to pay a five dollar penalty fee.

VIII.

- A. Any real estate broker, salesman, counsellor, appraiser or property manager who withdraws from the business and then returns to the

business within three (3) years from the date of withdrawal, can return by submitting application for license and paying the current license fee.

## IX.

- A. No member of the South Carolina Real Estate Board shall sign any application for a Temporary License as an endorser thereof.

**SECURITIES COMMISSIONER**

Promulgated under authority of Section 62-6 of the 1962 Code

**Rules Promulgated in Connection with the South Carolina Uniform Securities Act**

(Filed in the office of the Secretary of State February 13, 1963)

The following regulations are adopted, effective May 1, 1963, as being in the public interest and necessary for the protection of investors and to carry out the provisions of Chapter 1 of Title 62 of the 1962 Code.

**General Authority**—Section 62-6 provides "The Securities Commissioner may from time to time make, amend and rescind such rules, forms and orders as are necessary to carry out the provisions of this chapter, including rules and forms governing registration statements, applications and reports and defining any terms \* \* \*.

"No rule, form or order may be made, amended or rescinded unless the Securities Commissioner finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this chapter \* \* \*."

**Rule IA****Agents Registered with Only One Broker-Dealer or Issuer at One Time**

No person will be registered as an Agent of more than one Broker-Dealer or Issuer at one time, except that where management and officers of two or more Broker-Dealers or Issuers are essentially identical, the Agent may be registered with such Broker-Dealers or Issuers upon their written request.

**Authority for Rule IA:** Section 62-6 above.

**Rule IB****Sales Permits and Examinations for Principals, Partners, Officers and Directors of Broker-Dealers and Issuers**

(1) No Principal, Partner, Officer or Director of a registered Broker-Dealer, or of an Issuer offering its own securities under a South Carolina registration, shall engage actively in the sale of securities in South Carolina unless a Sales Permit shall have been issued to him by the Securities Commissioner. Such Permits will be issued without charge upon written request made to the Securities Commissioner, except that a Principal, Partner, Officer or Director of a Broker-Dealer shall be required

to pass the South Carolina State Securities Examination as in (2) following unless exempt. The term "Officer" shall for these purposes be limited to include Chairman of the Board, President, Vice-President, Secretary and Treasurer.

(2) As a condition of issuance of a Sales Permit under (1) above, every Principal, Partner, Officer or Director of a registered Broker-Dealer shall be required to pass the South Carolina State Securities Examination unless exempt under (4) below or Rule ID(2).

(3) The passing grade for Principals, Partners, Officers or Directors of a Broker-Dealer shall be 90%.

(4) No person listed with the Securities Commissioner on May 1, 1963 as a Principal, Partner, Officer or Director of a registered Broker-Dealer shall be required to pass such examination to obtain or maintain his Sales Permit; and no such person shall be required to pass such examination to obtain a Sales Permit provided he shall have been listed with the Securities Commissioner as a Principal, Partner, Officer or Director of any registered Broker-Dealer for a period of 36 consecutive months ending not more than 60 days prior to application.

**Authority for Rule IB**—Section 62-6 above.

Sec. 62-112(1)(b)(IX) provides that "the Securities Commissioner may by order deny, suspend or revoke any (Broker-Dealer or Agent) registration if he finds that the applicant or registrant \* \* \* is not qualified on the basis of such factors as training, experience and knowledge of the securities business \* \* \*."

Sec. 62-113(6) provides that "the Securities Commissioner may by rule provide for an examination, which may be written or oral or both, to be taken by any class of or all applicants \* \* \*."

### Rule IC

#### Examinations for Securities Agents

(1) As a condition of registration, every applicant for registration as a Securities Agent employed by a registered Broker-Dealer, or an Issuer, shall be required to pass the South Carolina State Securities Examination, unless exempt under (3) below or Rule ID(2).

(2) The passing grade for Securities Agents shall be 70%.

(3) No Securities Agent registered as such on May 1, 1963 shall be required to pass such examination to maintain or renew his registration; and no person shall be required to pass such examination as a condition of registration as Securities Agent provided he shall have been registered as a Securities Agent or a Broker-Dealer for a period of 36 consecutive months ending not more than 60 days prior to application.

**Authority for Rule IC**—Secs. 62-6, 62-112(1)(b)(IX) and 62-113(6) above.

Sec. 62-113(4) provides that "the Securities Commissioner shall consider that an Agent who will work under the supervision of a registered Broker-Dealer need not have the same qualifications as the Broker-Dealer."

**Rule ID****Provisions Applicable in General to the South Carolina  
State Securities Examination**

(1) The examination fee for all applicants shall be \$10.00 for each examination.

(2) A satisfactory passing grade on the examinations given by the New York Stock Exchange or the National Association of Securities Dealers for the purpose of determining the qualifications of individuals to engage in the securities business shall be accepted in lieu of the South Carolina State Securities Examination; and no person who has passed any of these examinations shall again be required by this State to pass another examination unless for a period of 36 or more consecutive months he shall not have been registered as a Securities Agent or as a Principal, Partner, Officer or Director of a registered Broker-Dealer.

(3) Upon request, the Securities Commissioner will forward to any interested person a Study Outline setting forth the areas covered by the examination, together with suggestions for reading and study, and a schedule of examination dates scheduled over the immediate future. Thereafter, upon receipt from the applicant of examination fee of \$10.00, plus (a) a properly executed application for registration as a Securities Agent and Consent to Service, or (b) a written request for a Sales Permit, the Securities Commissioner shall forward to the applicant an Examination Authorization, specifying the place and date of the examination.

(4) Any person who fails to pass the South Carolina State Securities Examination may make application for a second examination not earlier than 2 weeks after the first examination, but failure to pass the second examination shall necessitate a waiting period of not less than 6 months for the next or each succeeding examination. The \$10.00 examination fee is payable with each application.

**Authority for Rule ID**—Secs. 62-6, 62-112(1)(b)(IX), 62-113(4) & (6) above.

Sec. 62-15 provides that "Fees for examinations \* \* \* shall be set by the Securities Commissioner."

**Rule IIA****Securities Issued After Release of Impounded Funds**

(1) In connection with funds impounded under the provisions of Section 62-165(b), no securities shall be issued therefor until such funds have been released to the Issuer in accordance with terms of an applicable Escrow Agreement, or by order of the Securities Commissioner.

**Authority for Rule IIA**—Sec. 62-6 above.

Sec. 62-165(b) provides "The Securities Commissioner may by rule or order require as a condition of registration by qualification or coordination \* \* \* that the proceeds from the sale of the registered security in this State be impounded until the issuer receives a specified amount from the sale of the security either in this State or elsewhere."

**Rule IIB****Release of Portion of Commission Where Proceeds Impounded**

(1) Where, as a condition of registration, the Securities Commissioner has required that funds from the sale of a registered security in this State be impounded until the Issuer receives a specified amount from the sale of the security either in this State or elsewhere, the gross amount of the proceeds shall be so impounded, provided that the Agreement between the Escrow Agent and the Broker-Dealer or Issuer engaged in the sale of said security may provide for release to the latter during the time the funds are impounded of a portion of the commission not greater than five percent (5%) of the net offering price of the security after deduction of the entire proposed commission.

**Authority for Rule IIB**—Secs. 62-6 and 62-165(b) above.

**Rule IIC****Financial Statements Used in Prospectuses**

(1) All financial statements submitted in connection with filing of an application to register securities for sale in South Carolina or for inclusion in a Prospectus used in this State shall be certified by an Independent Public Accountant regularly engaged in business as such; provided, however, that interim statements prepared since the close of the last fiscal year need not be certified if prepared on a basis comparable to the statements certified to.

(2) Where a company has been in business for less than one year and submits one statement only which covers a period of less than one year, such statement shall be certified to.

(3) A report signed by the Independent Public Accountant should accompany the statements.

**Authority for Rule IIC**—Sec. 62-6 above.

Sec. 62-7 provides "The Securities Commissioner may by rule or order prescribe \* \* \* whether any required financial statements shall be certified by independent or certified public accountants."

**Rule IID****Options or Warrants**

(1) Options or warrants issued to persons other than the purchasers of securities will be regarded in general with disfavor and will be considered as grounds for the denial of an application unless fully justified. The burden shall always rest upon the applicant to justify their issuance. The following will be included among standards in determining justification and whether such options or warrants are unreasonable within the intent and meaning of the South Carolina Uniform Securities Act.

(2) **Employee Stock Purchase Plans** will be considered justified if reasonable in method of exercise and if the total number of shares reserved for options to all persons excluding the purchasers of securities does not

exceed 20% of the shares to be outstanding at the conclusion of the offering (not including the shares reserved for options).

(3) **Restricted Stock Options to Management** for incentive purposes will be considered reasonable if all of the following conditions are met:

- (a) they do not exceed ten years' duration;
- (b) the exercise price is equal to at least 85% of the public offering price or of the fair market value at the time the options were granted;
- (c) payment is in cash;
- (d) the number of shares reserved for options to all persons excluding the purchasers of securities does not exceed 20% of the shares to be outstanding at the conclusion of the offering (not including the shares reserved for options).

(4) **Options to Underwriters by an Issuer** will not be considered unreasonable if all of the following conditions are met:

- (a) they do not exceed five years' duration, and are exercisable no sooner than one year after issuance;
- (b) the initial exercise price is at least equal to the public offering price;
- (c) there is a step-up in price of at least 7% per annum after the first year, or as an alternative a single step-up of 20% at any time, the election to be made at the time of issuance;
- (d) payment is in cash;
- (e) they are issued to the managing underwriter under a firm underwriting agreement and are not assignable or transferable;
- (f) they are issued by a relatively small company in the promotional stage where it appears from all of the facts and circumstances that the issuance of such options is necessary to obtain competent banking service;
- (g) the number of shares reserved for options to all persons excluding the purchasers of securities does not exceed 20% of the shares to be outstanding upon conclusion of the offering (not including the shares reserved for options).

**Authority for Rule IID**—Sec. 62-6 above.

Sec. 62-17(a) and (b)(VI) provides "The Securities Commissioner may issue a stop order denying effectiveness to, or suspending or revoking the effectiveness of, any registration statement if he finds that the order is in the public interest and that \* \* \* the offering has been or would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions or other compensation, promoters' profits or participation or unreasonable amounts or kinds of options."

### Rule IIE

#### Underwriting Expenses and Commissions

(1) Applications to register securities offered on behalf of an Issuer will be considered with disfavor and it shall be considered as grounds for denial of any application where proceeds to the Issuer after all expenses

plus commissions and remuneration of all types to underwriters do not equal a minimum of 80% of the gross proceeds of all securities sold including securities sold to underwriters within 6 months of the date of application.

(2) With respect to securities sold to underwriters at prices below the public offering price, the difference between the price paid by the underwriters and the public offering price shall be considered as part of the compensation of the underwriters.

**Authority for Rule IIE**—Secs. 62-6 and 62-17(a) and (b)(VI) above.

### **Rule IIF**

#### **Unpaid Pre-Incorporation Stock Subscriptions**

(1) Applications to register securities by qualification or coordination will be in general regarded with disfavor and subject to denial where pre-incorporation stock subscriptions under South Carolina law remain unpaid, and have not been released by the subscribers to form part of the public offering. Consideration will be given to such applications if unpaid and unreleased subscriptions

- (a) do not exceed 20% of the currently outstanding shares;
- (b) are due no longer than 9 months from date of application for registration;
- (c) are a firm commitment to purchase for cash.

(2) On subscriptions released to form a part of the public offering, the liability of the original subscribers remains until the shares are sold.

**Authority for Rule IIF**—Secs. 62-6 and 62-171(a) and (b)(VI) above

### **Rule IIIA**

#### **Approved Securities Exchanges**

(1) The following securities exchanges are approved for inclusion in Section 62-51(7) of the South Carolina Uniform Securities Act, and listing or approval for listing of a security on any of these exchanges exempts such security from Sections 62-151 and 62-5 of said Act:

Pacific Coast Stock Exchange;

Philadelphia-Baltimore Stock Exchange.

**Authority for Rule IIIA**—Sec. 62-6 above

Sec. 62-51(7) provides an exemption for "any security listed or approved for listing upon notice of issuance on the New York Stock Exchange, the American Stock Exchange, the Midwest Stock Exchange or such other securities exchange as the Securities Commissioner by rule may designate

### **Rule IIIB**

#### **Recognized Securities Manuals**

(1) The following securities manuals are recognized under the provisions of Section 62-52(2)(a) of the South Carolina Uniform Securities Act and the inclusion in any one of these manuals of information specified in

this Section, concerning the issuer of a security, exempts such security from Sections 62-5 and 62-151 of said Act:

Standard & Poor's Corporation Records;  
Moody's Manuals.

**Authority for Rule IIIB—Sec. 62-6 above**

Interpreting Sec. 62-52(2)(a) which provides an exemption for "Any nonissuer distribution of an outstanding security if a recognized securities manual contains the names of the issuer's officers and directors, a balance sheet of the issuer as of a date within eighteen months and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations."

The effective date of these regulations shall be May 1, 1963, and these regulations supersede and replace all existing regulations by the Securities Commissioner.

(Filed in the office of the Secretary of State April 3, 1963)

The following regulations have been adopted, effective May 2, 1963, as being in the public interest and necessary for the protection of investors and to carry out the provisions of Chapter 1 of Title 62 of the 1962 Code.

**Rule IE**

**Examinations for Investment Advisers**

As a condition of initial or renewal registration as an Investment Adviser, or as a Broker-Dealer acting or proposing to act as an Investment Adviser, the Securities Commissioner may in his discretion require the applicant or any one or all officers, directors, partners or employees of the applicant who may represent said applicant in any of the acts which make him an Investment Adviser in this State, to take an oral examination, to be given at such time and place as specified by the Securities Commissioner.

The decision of the Securities Commissioner as to the eligibility of the applicant shall be deemed final and conclusive.

**Authority for Rule IE**

Section 62-6 provides "The Securities Commissioner may from time to time make, amend and rescind such rules, forms and orders as are necessary to carry out the provisions of this chapter, including rules and forms governing registration statements, applications and reports and defining any terms . . ."

"No rule, form or order may be made, amended or rescinded unless the Securities Commissioner finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this chapter \* \* \*"

Section 62-112(1)(b)(IX) provides: "The Securities Commissioner may by order deny, suspend or revoke any registration if he finds \* \* \* that the applicant or registrant or, in the case of a broker-dealer or investment

adviser, any partner, officer, or director, any person occupying a similar status or performing similar functions or any person directly or indirectly controlling the broker-dealer or investment adviser \* \* \* is not qualified on the basis of such factors as training, experience and knowledge of the securities business \* \* \*."

Section 62-113(6) provides "The Securities Commissioner may by rule provide for an examination, which may be written or oral or both, to be taken by any class of or all applicants, as well as persons who represent or will represent an investment adviser in doing any of the acts which make him an investment adviser."

Section 62-113(5) provides "The Securities Commissioner shall consider that an investment adviser is not necessarily qualified solely on the basis of experience as a broker-dealer or agent. When he finds that an applicant for initial or renewal registration as a broker-dealer is not qualified as an investment adviser, he may by order condition the applicant's registration as a broker-dealer upon his not transacting business in the State as an investment adviser."

The effective date of these regulations shall be May 2, 1963.

(Filed in the office of the Secretary of State July 23, 1963)

The following regulations have been adopted, amending Rule IIC filed February 13, 1963 and effective May 1, 1963, to be known as Rule IIC(4) and (5). These regulations have been adopted as being in the public interest and necessary for the protection of investors and to carry out the provisions of Chapter 1 of Title 62 of the 1962 Code.

### **Rule IIC**

(4) Financial statements filed with an application for registration of securities shall be up-dated when necessary so that the Prospectus as finally approved and in definitive form shall contain statements, as of a date not more than 6 months prior to the date of the Prospectus.

(5) A Prospectus relating to securities in registration and outstanding for more than 1 year shall be considered obsolete. Failure of the registrant to furnish an amended Prospectus containing current information and financial statements as of a date not more than 6 months prior to the date of the amended Prospectus shall be considered cause for suspension of registration.

#### **Authority for Rule IIC(4) and (5)**

Section 62-5 provides "The Securities Commissioner by rule or order may require the approval of any prospectus . . . intended for distribution to prospective investors . . ."

Section 62-6 provides "The Securities Commissioner may from time to time make, amend and rescind such rules, forms and orders as are necessary to carry out the provisions of this chapter, including rules and forms governing registration statements, applications and reports and defining any terms \* \* \*"

"No rule, form or order may be made, amended or rescinded unless the Securities Commissioner finds that the action is necessary or appro-

priate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this chapter . . .”

Section 62-7 provides “The Securities Commissioner may by rule or order prescribe (a) the form and content of financial statements required under this chapter . . .”

“Section 62-167 provides “So long as a registration statement is effective, the Securities Commissioner may by rule or order require the person who filed the registration statement to file reports, not more often than quarterly, to keep reasonably current the information contained in the registration statement and to disclose the progress of the offering.”

The effective date of these regulations shall be July 29, 1963.

### **TAX COMMISSION**

#### **Alcoholic Liquors**

Promulgated under authority of Section 4-6 of the 1962 Code

#### **REGULATION NO. 3**

(Filed in the office of the Secretary of State April 4, 1963)

Regulation No. 3. Void. Repealed by action of the South Carolina Tax Commission, dated April 3, 1963.

#### **REGULATION NO. 18**

(Filed in the office of the Secretary of State August 29, 1962)

Regulation 18 is amended by Section 9 of the 1958-59 General Appropriation Bill to read as follows:

Regulation 18. Free goods can be withdrawn from the wholesaler by the distiller, which is not to be used for re-sale or given as samples or used personally by the distiller's salesman.

#### **REGULATION NO. 21**

(Filed in the office of the Secretary of State August 29, 1962)

Regulation 21. Void. Repealed by R1023, H2233, approved by the Governor the 9th day of April, 1962.

#### **REGULATION NO. 22**

(Filed in the office of the Secretary of State August 29, 1962)

Regulation 22. Void. Repealed by R1023, H2233, approved by the Governor the 9th day of April, 1962.

#### **REGULATION NO. 25**

(Filed in the office of the Secretary of State May 27, 1963)

Regulation No. 25 pertaining to alcoholic liquors, filed in the office of the Secretary of State on April 18, 1962, is hereby amended by striking out all of said Regulation and substituting in lieu thereof the following Regulation which shall be hereafter known as Regulation No. 25.

By way of implementation of the provision of Section 4-72.1 of the 1962 South Carolina Code of Laws, as amended, which provisions prohibit wholesale and retail liquor dealers from selling alcoholic liquors on credit, the South Carolina Tax Commission, recognizing the general and common business practice of accepting checks in payment for merchandise as being a cash transaction, will consider the acceptance of a check in payment for liquor as a sale for cash and not a sale on credit. **Provided** only however, that if a check of a retail dealer, offered in payment for liquor purchased from a wholesaler, is not paid within seven (7) days after presentation to the bank, said check shall be considered bad and the said wholesale dealer shall immediately notify, in writing, the South Carolina Tax Commission.

Such wholesaler to whom a check is given by a retailer in payment for liquor shall immediately undertake the prompt collection of the check. Any retailer tendering a bad check for the first time to a wholesaler for the purchase of liquor shall have his retail liquor license suspended for a period of eight (8) days; for a second bad check he shall have his retail liquor license suspended for a period of fifteen (15) days; and for any future bad check his retail liquor license shall be suspended or revoked for a period of time as the Commission, in its discretion, shall deem proper.

Failure on the part of the wholesale dealer to whom the check is delivered to promptly notify the South Carolina Tax Commission of the bad check shall be considered by the South Carolina Tax Commission as a violation of credit provisions of the law by such wholesaler.

The only exception to the above requirements is in the matter of the sale of liquor to Government instrumentalities where regulatory procedures do not permit immediate payment.

Any wholesale liquor dealer who sets up and/or controls either directly or indirectly a finance company for the purpose, among any others, of lending money to retail liquor dealers to be used in the purchase of liquor and does lend such money shall be deemed to have extended credit in violation of Section 4-72.1 of the 1962 South Carolina Code of Laws, as amended, prohibiting the sale of liquor on credit.

#### **Beer and Wine**

Promulgated under authority of Section 4-230.1 of the 1962 Code

#### **REGULATION NO. 10**

(Filed in the office of the Secretary of State October 19, 1962)

Every retail beer and/or wine dealer who is licensed to sell beer and/or wine under the Laws of the State of South Carolina shall at all times display his retail beer and/or wine permit in a conspicuous place on his licensed beer and/or wine premises.

#### **REGULATION 11**

(Filed in the office of the Secretary of State December 20, 1962)

**Filing of Prices**

All beer and wine wholesalers, holders of special wine permits or licenses and all holders of Brewer Certificates of Approval shall file with the South Carolina Tax Commission a price schedule for the proposed sale of his products in accordance with the following requirements:

- A. The price schedule shall contain the proposed selling price of each product, including sales to military outlets.
- B. The selling price of each brand of beer and wine filed with the Tax Commission by wholesalers shall not be less than the "cost of the goods to be sold," as defined herein. For the purposes of this Regulation "cost of the goods to be sold" is hereby defined as the total delivered cost of such goods to the wholesaler, including all applicable State and Federal taxes, plus twenty per cent thereof to cover the cost of doing business.
- C. The price schedule described above shall be filed with the Tax Commission within ten days after the effective date of this Regulation by all licensed wholesalers and holders of Brewer Certificates of Approval. Firms issued wholesale permits or Brewer Certificates of Approval thereafter or any wholesalers or holders of Brewer Certificates of Approval introducing a new brand or package must file its price schedule with the Tax Commission not less than ten days prior to first sale of its product.
- D. Every wholesaler before filing such price schedule, shall send a duplicate copy thereof by certified mail, return receipt requested, to all other licensed wholesalers doing business within the territory served by him, and shall attach an affidavit to the price schedule filed with the Tax Commission naming the wholesalers so notified. All holders of Brewer Certificates of Approval shall likewise notify all wholesalers distributing their products and shall attach a similar affidavit to the price schedule furnished the Tax Commission.
- E. The initial price schedule filed hereunder shall be effective immediately upon the date of filing with the Tax Commission and shall remain in full force and effect until the following January 1st or July 1st, as the case may be, at which time, the same will automatically expire. Thereafter all licensed wholesalers shall file price schedules with the Tax Commission at least ten days prior to and all holders of Brewer Certificates of Approval shall file same at least twenty days prior to each succeeding January 1st and July 1st. It is provided, however, that notwithstanding any provision herein, any wholesaler or holder of a Brewer Certificate of Approval, may modify his price schedule in order to be competitive in accordance with the provisions of paragraph 6. Otherwise such price schedule shall remain in full force and effect until each succeeding January 1st or July 1st, at such time the same shall expire.
- F. In order to be competitive, any wholesaler or holder of a Brewer Certificate of Approval may, within twenty days after the effective date of the filing of a price schedule by a competitor containing

lower prices, file a modified price schedule with the Tax Commission, provided, however, that the prices contained in such modified schedule shall not be lower than those previously filed by the competitor. In the event a modified schedule is filed as provided above, the effective date thereof shall be deemed to be the same effective date as that of the competitor, and such modified schedule shall continue in full force and effect until the following January 1st or July 1st, as the case may be, at which time the same shall expire.

- G. All wholesalers shall be accountable for their inventory at all times, and are hereby prohibited from giving any beer or wine to any person whatsoever for any reason.
- H. No wholesaler or holder of a Brewer Certificate of Approval shall sell or offer for sale any beer or wine products at a price differing from his current price schedule on file with the Tax Commission.
- I. If any section of the Regulation or any portion thereof is declared unconstitutional or null and void for any reason, then the remaining section or portion thereof shall remain in full force and effect.
- J. Any violation of the foregoing shall subject the violator to suspension or revocation of the violator's permits or Brewer Certificates of Approval, or in lieu thereof, the Tax Commission may impose a monetary penalty upon the violator within the limits prescribed by Sec. 4-108.4 and Sec. 4-230.1 of the 1962 South Carolina Code of Laws.

#### **REGULATION NO. 11**

(Filed in the office of the Secretary of State March 29, 1963)

Regulation No. 11. Void. Repealed by action of the South Carolina Tax Commission dated March 28, 1963.

#### **REGULATION NO. 12**

(Filed in the office of the Secretary of State December 20, 1962)

All wholesalers shall maintain in his place of business a "log" or other suitable record of all checks received in the course of business from a retailer or his servants, agents or employees that have been returned unpaid from the bank on which they were drawn. Such "log" or other suitable record shall contain the name and address of the retailer from which the check was received, the maker of the check, the date received from the retailer and the disposition thereof. Such "log" shall be made available immediately upon request of any agent of the Tax Commission.

#### **REGULATION NO. 13**

(Filed in the office of the Secretary of State December 20, 1962)

Wholesalers and holders of Brewer Certificates of Approval and their servants, employees and agents are hereby prohibited from giving free goods, rebates, credits, cash discounts, quantity discounts, money or any other thing of service or value to retailers for any purpose whatsoever, provided, however, that nothing herein contained shall prohibit wholesalers from allowing refunds to retailers for deposits on returnable bottles

or refunds or credit for damaged merchandise, if made at the time of delivery of merchandise to the retailer.

### REGULATION NO. 13

(Filed in the office of the Secretary of State March 29, 1963)

Regulation No. 13. Void. Repealed by action of the South Carolina Tax Commission dated March 28, 1963.

### Refunds—Business License and Soft Drink Stamps and Crowns

Promulgated under authority of Section 65-662 of the 1962 Code

### REGULATION NO. 12

(Filed in the office of the Secretary of State June 28, 1962)

Pursuant to the authority vested in the South Carolina Tax Commission under provisions of Sections 658, 659, 660, 661, 662 and 875, Chapter 10, Title 65, of the 1962 South Carolina Code of Laws, as amended, in order to prevent the use of stamps on which refunds to the value thereof have been previously made, the following Regulation is hereby adopted:

The authority granted the South Carolina Tax Commission under Sections 658, 659, 660, 661, 662 and 875, Chapter 10, Title 65, 1962 Code of Laws, as amended, shall be allowed only when the seller of the goods, wares or merchandise taxed under said Chapter, before making shipment or delivery as provided under said Sections, shall have cancelled the tax-paid stamps, crowns or other indicia of tax payments which shall have been affixed or emplaced according to law, by permanently stamping with indelible ink at the same place the tax-paid stamps, crowns or other indicia of payment appears, a rubber stamp cancellation impression, reading as follows:

“Cancelled. Subject to penalty of not more than \$100.00 and Confiscation if this package is offered for sale in South Carolina unless restamped”.

In the event the above rubber stamp impression is not used, complete destruction of the stamps on each individual package will be required before refund will be issued.

This Regulation supersedes and cancels Regulation No. 5, of the License Tax Division.

The foregoing shall become effective July 1, 1962.

### Income Tax

Promulgated under authority of Section 65-207 of the 1962 Code

(Filed in the office of the Secretary of State December 18, 1962)

### REGULATION NO 6

### Pertaining to Depreciation Schedules and the Amount of Depreciation

The tax credit, with respect to the qualified investment in certain depreciable property described in Section 38 of the Internal Revenue Code,

as Amended in 1962, permitted on Federal Tax Returns will not be allowed on South Carolina Tax Returns.

In order that a taxpayer may use one depreciation schedule for both Federal and State Tax purposes, such taxpayer may elect to adjust the original basis of the asset for State Tax purposes by an amount equal to the reduction in basis required for Federal purposes. This adjustment of the basis:

- (a) Must be made before the depreciation deduction otherwise allowable is determined;
- (b) The taxpayer must claim as an additional depreciation deduction an amount equal to the amount of the reduction in basis allowable by reason of the Federal Tax Credit provisions; and
- (c) This additional depreciation deduction must be claimed during the income year in which the Section 38 Property is put into service by the taxpayer.

In the event of subsequent adjustments in the basis of Section 38 Property for Federal purposes, the same adjustment in basis must be made for State Income Tax purposes and the taxpayer must make appropriate adjustments to net income in the year of such subsequent adjustments in the basis.

As an alternate to the above method such taxpayer may elect to adjust the basis of the asset for State Tax purposes by an amount equal to the Federal credit permitted with respect to Section 38 Property. The amount of the adjustment will be recovered at the end of the life of the asset by increasing the depreciable basis and further depreciating the asset or upon disposition of the asset by increasing the basis.

The election above provided shall be irrevocable and must be made in the year the Section 38 Property is put into service and followed for all subsequent years.

The original asset cost must be shown on the depreciation schedule and such original cost must be used in the property factor for purposes of allocation of income.

Effective for income years ending after December 31, 1961.

### **SALES AND USE TAX**

Promulgated under authority of Section 65-1443 of the 1962 Code  
(Filed in the office of the Secretary of State May 29, 1963)

### **REGULATION NO. 37**

#### **The Sale of Motor Vehicles for Immediate Transportation Outside of South Carolina**

Regulation No. 37 is promulgated and adopted by reason of Senate Bill 229 approved by both Houses of the Legislature and ratified by the Governor on May 9, 1963.

The seller of a motor vehicle as provided for in Senate Bill 229 to exempt from the measure of the sales and/or use tax a sale of such motor vehicle shall obtain an affidavit from the purchaser which affidavit shall provide

for the name of the purchaser, address of the purchaser, the state in which the motor vehicle is to be registered and operated, the name of the seller, the address of the seller, the retail license number of the seller, the date of the purchase of the motor vehicle; its make, model, year, serial and motor numbers, the sales price of the motor vehicle, any trade-in allowance given, the net amount paid and whether or not the motor vehicle is new or old.

For the purposes of this Statute, a motor vehicle is defined to include every vehicle which is self-propelled and which is customarily licensed for general use on the highways of South Carolina, provided, however, that the term shall not include self-propelled motor vehicles not designed or used primarily for the transportation of persons or pay-load property and incidentally operated or moved over the highways, including farm tractors, road construction and maintenance machinery, ditch-digging apparatus, well-boring apparatus, truck cranes or mobile shovel cranes, and similar vehicles, this enumeration to be deemed partial and not to operate to exclude other such vehicles which are within the general terms of this definition, nor shall the term include trailers or other such vehicles attached to or drawn by a motor vehicle.

The affidavit shall be in three parts, the original to be retained by the seller with the invoice, the second copy to be forwarded to the Tax Commission for transmittal to the state in which the motor vehicle is to be registered and operated, and the third copy to be delivered to the purchaser of such motor vehicle. The seller shall forward the second copy of the affidavit taken within ten days from the date of sale pursuant to the terms of this Statute to the South Carolina Tax Commission, Sales and Use Tax Division, P. O. Box 420, Columbia, South Carolina.

The term "immediate transportation" is determined to be a period within ten days from the date of sale.

This Regulation shall become effective on May 29, 1963.

### **WATER POLLUTION CONTROL AUTHORITY**

Promulgated under authority of Sections 70-101 through 70-139 of the 1962 Code

#### **Stream Classifications**

(Filed in the office of the Secretary of State December 7, 1962)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Lancaster, South Carolina, November 26, 1962.)

This action is based on the finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Lancaster, South Carolina, November 26, 1962.

**Bear Creek.** From its headwaters in Lancaster County to the bridge on U. S. Highway 521, Class B.

(This supersedes the classification applied to Bear Creek (as a tributary of Cane Creek) in Lancaster County, adopted November 19, 1953, and filed with the Secretary of State, November 24, 1953.)

(Filed in the office of the Secretary of State July 12, 1963)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Jefferson, South Carolina, May 20, 1963.)

This action is based on the following finding of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Jefferson, South Carolina, May 20, 1963:

1. THAT Lynches River in Chesterfield County from the South Carolina-North Carolina State Line down to South Carolina Highway No. 265 is presently classified as Class C.
2. THAT the City of Jefferson has requested the use of this stream as a source of water supply, this requiring a Class B classification.
3. THAT there was no opposition voiced to the reclassification of this stream as Class B at the public hearing.
4. THAT based on these facts, we therefore find the proper classification of Lynches River in Chesterfield County, from the South Carolina-North Carolina State Line down to South Carolina Highway No. 265 to be Class B.

(This supersedes the classification applied to this portion of Lynches River, Chesterfield County, adopted May 23, 1956, and filed with the Secretary of State, June 8, 1956.)

(Filed in the office of the Secretary of State July 12, 1963)

(The public hearing as required by law prior to the classification and/or reclassification of streams was held in Conway, South Carolina, May 17, 1963.

This action is based on the following findings of fact made by the Authority after consideration of the transcript of public hearing held by the South Carolina Water Pollution Control Authority in Conway, South Carolina, May 17, 1963:

1. THAT Schewbough Branch is presently unclassified.
2. THAT its condition at the present time can be sufficiently improved by known and feasible methods of waste treatment so that it can meet Class C-Swamp standards.
3. THAT there have been numerous complaints from residents in the vicinity of this stream about its condition.
4. THAT there have been complaints from North Carolina concerning conditions within this stream in the State of South Carolina which create nuisance conditions in North Carolina.
5. THAT based on these facts, we therefore find the proper classification of Schewbough Branch in Horry County to be Class C-Swamp.

**WILDLIFE RESOURCES COMMISSION****Division of Boating**

Promulgated under authority of Section 70-295.2(3) of the 1962 Code

**Boating Act**

(South Carolina Flotation and Serial Number—Regulations to Implement Section 5 of the South Carolina Boating Act As Amended.)

Revised as of June 1, 1962

(Filed in the office of the Secretary of State July 2, 1962)

These regulations supersede regulations filed in the office of the Secretary of State March 30, 1962.

**FLOTATION****Law**

No vessel not already in the hands of a dealer may be sold or offered for sale by any person in this State after January 1, 1962, other than a vessel constructed of wood, which does not meet the requirements for flotation as set forth by the Boating Division of the Wildlife Resources Department, nor shall any such vessel not meeting these flotation requirements be registered or numbered by the South Carolina Division of Boating except vessels purchased, acquired, registered and numbered prior to January 1, 1962.

**Definition**

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

**Vessels Not Required to Have Flotation Material**

- (1) Vessels constructed of wood.
- (2) Inboard vessels or Inboard-Outboard vessels propelled by 4-cycle engines.
- (3) Any vessel entirely dependent upon pontoons to remain afloat.
- (4) Vessels having a center line measurement of 21 feet and over.

**Flotation Specifications**

(1) For purposes of the statute, flotation is defined as that quantity of flotation material which will keep a boat from sinking when it is filled with water and passengers are clinging to it, providing that the aggregate weight of motor, passengers and equipment carried in or attached to the boat does not exceed the boat's maximum weight capacity, as determined by the maximum weight capacity formula set forth in Appendix A.

The quantity of flotation material shall be determined from the boat flotation formula set forth in Appendix B.

(2) Compliance with either the South Carolina Boating Division's flotation requirements as set forth in Appendices A and B, or with the Outboard Boating Club of America's recommendations for flotation in their

Engineering Manual will suffice for purposes of this law. Recognizing that flotation is subject to change in the face of advances in technology and product design, the South Carolina Boating Division stipulates that the flotation specifications set forth in these regulations and Appendices are subject to change.

#### **Display of Certification of Flotation**

(1) As of January 1, 1962, all newly constructed vessels to be offered for sale in South Carolina and not already in the hands of dealers must have attached thereto, by the manufacturer or distributor, one of the following certifications:

- A. This boat meets flotation requirements prescribed by the South Carolina Division of Boating.
- B. (1) This boat meets recommendations for flotation as set forth in the Outboard Boating Club of America's current Engineering Manual or (2) This boat meets recommendations for flotation as set forth in the Outboard Boating Club of America's Engineering Manual.
- C. This boat has been constructed in compliance with the flotation requirements prescribed by the Boating Division, South Carolina Wildlife Resources Department.
- D. The following wording to be included on Outboard Boating Club of America's Capacity Plate: This boat provides flotation as recommended by the Outboard Boating Club of America.

(2) The method of attaching the manufacturer's or distributor's certification to a vessel shall be optional so long as the certification is affixed in a manner so as to be not readily removable or alterable and non-transferrable.

(3) No one place for displaying certification on a vessel is specified, but the certification shall be plainly visible and accessible to reasonable inspection.

### **SERIAL NUMBERS**

#### **Law**

No newly constructed vessel, other than a vessel constructed of wood, shall be sold in this State after January 1, 1962, unless the serial number is clearly imprinted in the stern transom. If the manufacturer selects another location on the hull, the Division of Boating must be notified by the manufacturer as to such location.

#### **Definition**

"Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

#### **Vessels Not Required to Have Serial Numbers**

Vessels constructed entirely of wood.

**Display of Serial Numbers**

Serial numbers shall be clearly imprinted in the stern transom or on the hull by stamping, impressing, or marking with pressure. In lieu of imprinting, the serial number may be displayed on a plate in a permanent manner. If the serial number is displayed in a location other than the stern transom, the Division of Boating must be notified by the manufacturer as to such location. No person, firm, association or corporation shall destroy, remove, alter, cover, or deface the manufacturer's serial number, or plate bearing such serial number, from any vessel as defined herein.

**APPENDIX A****Boat Weight Capacity  
Instructions**

The figures to be inserted in the blanks are to be taken from the Boat Interior Dimension drawing, to which the letters under the blank spaces refer. All dimensions must be converted to decimal numbers before insertion in the formula. Table I converts inches and eighths of inches to the decimal equivalents in feet.

Certain maximums have been established for the height of a transverse section, and these heights, to be used for the computation of square feet of a transverse section, are shown in Table II. (See Dimensions drawing and Tables I and II on page 4.)

**STEP 1:** Enter the appropriate measurements for a particular section. Compute the square feet for the three transverse sections as specified.

The maximum allowable height (H) is based on width (a) for that section on the Interior Dimensions. If the actual height of the section is less than the maximum allowable height, use the actual height. If the actual height of the section is more than the maximum allowable height, use the maximum allowable height.

**STEP 2:** From Step 1 enter the computed square feet for Sections A, B, and C in the formula.

A—Square Feet for Section A

B—Square Feet for Section B

C—Square Feet for Section C

Take the figure for length (L) from Boat Interior Dimensions drawing.

**STEP 3.** From Step 2 enter the computed cubic feet of the boat and multiply it by 12.5 as shown in the formula to determine the Maximum Weight Capacity, including people, motor and gear.

TABLE I

CONVERSION TABLE

FRACTIONS OF INCHES AND  
INCHES TO FEET

| INCHES | DECIMALS | INCHES | DECIMALS |
|--------|----------|--------|----------|
| 1/8"   | .010'    | 3"     | .250'    |
| 1/4"   | .021'    | 4"     | .333'    |
| 3/8"   | .031'    | 5"     | .417'    |
| 1/2"   | .042'    | 6"     | .500'    |
| 5/8"   | .052'    | 7"     | .583'    |
| 3/4"   | .062'    | 8"     | .667'    |
| 7/8"   | .073'    | 9"     | .750'    |
| 1"     | .083'    | 10"    | .833'    |
| 2"     | .167'    | 11"    | .917'    |

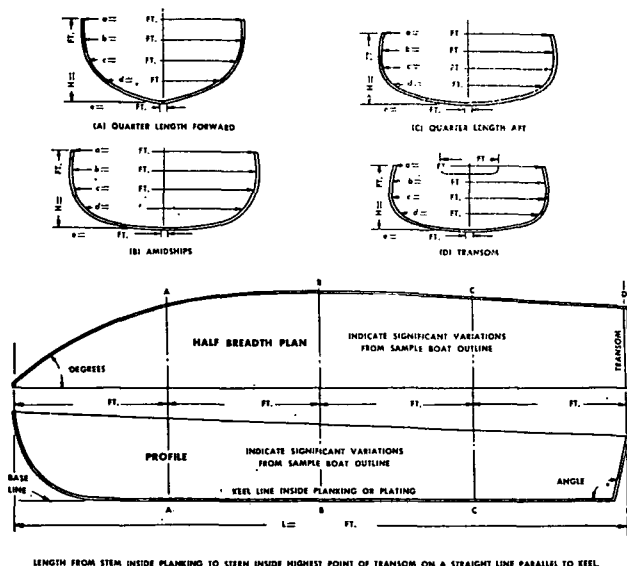
TABLE II

MAXIMUM ALLOWABLE HEIGHT  
FOR A TRANSVERSE SECTION

(To be used for computation of square feet  
in Transverse Sections)

| Beam of Section<br>in Feet | Maximum Allowable Height<br>For That Section, Feet |
|----------------------------|--|
| Up to 4.042'               | 1.583'   |
| 4.043' to 4.375'           | 1.667'   |
| 4.376' to 4.709'           | 1.750'   |
| 4.710' to 5.042'           | 1.833'   |
| 5.043' to 5.375'           | 1.917'   |
| 5.376' to 5.709'           | 2.000'   |
| 5.710' to 6.042'           | 2.083'   |
| 6.043' to 6.375'           | 2.167'   |
| 6.376' to 6.709'           | 2.250'   |
| 6.710' to 7.042'           | 2.333'   |
| 7.043' to 7.375'           | 2.417'   |
| 7.376' to 7.709'           | 2.500'   |

BOAT INTERIOR DIMENSIONS



TRANSVERSE SECTIONS (A, B and C) are taken at three points obtained by dividing length (L) into four equal parts. HORIZONTAL BREADTHS (a, b, c, d, and e) are secured by measuring at upper and lower

points of the height (H) and at three points selected by dividing (H) into four equal parts. MEASUREMENTS are taken inside planking or plating and recorded in feet with decimal equivalents for inches and eighths.

WEIGHT CAPACITY FORMULA WORK SHEET

## STEP 1: COMPUTE AREAS OF SECTIONS

Formula:  $\text{Area} = \frac{H}{12} (a + 4b + 2c + 4d + e)$

Note: For maximum allowable height (H) in any section, check table II in instructions.

## Area A-Section Quarter Length Forward:

$$A = \left( \frac{\quad}{12} \right) \left[ \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + 2 \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + \left( \frac{\quad}{\quad} \right) \right]$$

$\quad \quad \quad a \quad \quad \quad b \quad \quad \quad c \quad \quad \quad d \quad \quad \quad e$

A = \_\_\_\_\_ square feet (two decimal places)

## Area B-Section Amidships:

$$B = \left( \frac{\quad}{12} \right) \left[ \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + 2 \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + \left( \frac{\quad}{\quad} \right) \right]$$

$\quad \quad \quad a \quad \quad \quad b \quad \quad \quad c \quad \quad \quad d \quad \quad \quad e$

B = \_\_\_\_\_ square feet (two decimal places)

## Area C-Section Quarter Length Aft:

$$C = \left( \frac{\quad}{12} \right) \left[ \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + 2 \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) + \left( \frac{\quad}{\quad} \right) \right]$$

$\quad \quad \quad a \quad \quad \quad b \quad \quad \quad c \quad \quad \quad d \quad \quad \quad e$

C = \_\_\_\_\_ square feet (two decimal places)

## STEP 2: COMPUTE CUBIC CAPACITY

Formula:

$$\text{Cubic Capacity of Hull} = \frac{L}{12} (4A + 2B + 4C)$$

$$\text{Cubic Capacity} = \left( \frac{\quad}{12} \right) \left[ 4 \left( \frac{\quad}{\quad} \right) + 2 \left( \frac{\quad}{\quad} \right) + 4 \left( \frac{\quad}{\quad} \right) \right]$$

$\quad \quad \quad A \quad \quad \quad B \quad \quad \quad C$

Cubic Capacity = \_\_\_\_\_ cubic feet (one decimal place)

## STEP 3: COMPUTE MAXIMUM WEIGHT CAPACITY

Formula: Maximum Weight Capacity = Cubic Capacity X 12.5 lbs.  
per cubic ft.

Maximum Weight Capacity = \_\_\_\_\_ X 12.5

Maximum Weight Capacity = \_\_\_\_\_ pounds (nearest whole number)

APPENDIX B

BOAT FLOTATION FORMULA

STEP 1: Determine the submerged weight of boat ( $W_s$ ) \* (See footnotes)

$$\text{FORMULA: } W_s = W_h K_1 + W_d K_2 + .69 W_e$$

where  $W_h$  = dry weight of hull

$W_d$  = dry weight of deck and superstructure

$W_e$  = dry weight of factory installed equipment,  
hardware, and accessories.

$K_1$  and  $K_2$  = conversion factors for materials  
used from Table I.

$$W_s = ( \quad ) ( \quad ) + ( \quad ) ( \quad ) + .69 ( \quad )$$

$$W_s = ( \quad ) + ( \quad ) + ( \quad )$$

$$W_s = \underline{\hspace{2cm}} \text{ pounds (nearest whole number)}$$

STEP 2: Determine the submerged weight of engine, related equipment,  
and loose gear. (G)

Locate in TABLE II the maximum OBC boat horsepower capacity and record the  
total submerged weight

$$G = \underline{\hspace{2cm}} \text{ pounds (nearest whole number)}$$

STEP 3: Determine the dry weight of live load (C)

$$\text{FORMULA: } C = \text{OBC BOAT WEIGHT CAPACITY} - \text{TOTAL DRY WEIGHT (TABLE II)}$$

Subtract the total dry weight of motor, related equipment, and  
loose gear as shown in TABLE II from the OBC Boat Weight Capacity

$$C = ( \quad ) - ( \quad )$$

$$C = \underline{\hspace{2cm}} \text{ pounds (nearest whole number)}$$

STEP 4: Determine pounds of flotation required (W)

$$\text{FORMULA: } W = W_s (\text{Step 1.}) + G (\text{Step 2.}) + .1 C (\text{Step 3.})$$

$$W = ( \quad ) + ( \quad ) + .1 \times ( \quad )$$

$$W = \underline{\hspace{2cm}} \text{ pounds (nearest whole number)}$$

STEP 5: Determine the cubic feet of flotation material needed (F)

$$\text{FORMULA: } F = \frac{W}{B}$$

where  $W$  = pounds of flotation required (Step 4.)

$B$  = Buoyancy of flotation material to be used in pounds per cubic foot.  
(ONE decimal place) \*\* (See footnotes)

$$F = ( \quad ) \div ( \quad )$$

$$F = \underline{\hspace{2cm}} \text{ cubic feet (one decimal place)}$$

\* The formula for determining  $W_s$  may be amplified for greater accuracy by a boat builder using several different materials in the construction of a boat. Parts made of each material are weighted and the weight multiplied by the conversion factor for the material used. The formula given above for  $W_s$  will yield an approximate submerged weight, accurate enough in nearly all cases for use in determining the pounds of flotation needed.

\*\* If air chambers are used for flotation,  $B$  will be 62.4, which is the weight of a cubic foot of fresh water.

If other flotation materials are used,  $B$  will equal 62.4 minus the weight of one cubic foot of the material used, less appropriate allowances for absorption and adsorption characteristics.

TABLE I  
SUBMERGED WEIGHT MATERIAL CONVERSION FACTORS

| Material                          | K Factor |
|-----------------------------------|----------|
| Steel .....                       | .88      |
| Aluminum .....                    | .63      |
| Fiberglass .....                  | .33      |
| Mahogany .....                    | -.11     |
| Oak .....                         | -.33     |
| Lapstrake (Plywood Strakes) ..... | -.43     |
| Molded Plywood .....              | -.49     |
| Douglas Fir Plywood .....         | -.54     |
| Walnut .....                      | -.54     |
| Plylap .....                      | -.67     |
| Cedar Strip .....                 | -.72     |
| Redwood .....                     | -.82     |
| "Royalite" .....                  | -.82     |

TABLE II  
WEIGHTS OF MOTORS AND EQUIPMENT FOR VARIOUS  
BOAT HORSEPOWER CAPACITIES

| OBC Boat H.P.<br>Capacity | Dry Wt.<br>Motor | Dry Wt.<br>Battery | Dry Wt.<br>Misc. Gear | TOTAL<br>Dry Wt. | Submerged<br>Weight (g) |
|---------------------------|------------------|--------------------|-----------------------|------------------|-------------------------|
| Under 15                  | 75               | ..                 | 50                    | 125              | 86                      |
| 15-24                     | 95               | 40                 | 50                    | 185              | 127                     |
| 25-49                     | 190              | 40                 | 100                   | 330              | 227                     |
| 50-90                     | 290              | 40                 | 125                   | 455              | 313                     |
| 91-100                    | twin             |                    |                       |                  |                         |
| Single                    |                  |                    |                       |                  |                         |
| 101-200                   | 500              | 80                 | 200                   | 780              | 538                     |

**SKIING ON HARTWELL RESERVOIR**

(Filed in the office of the Secretary of State September 11, 1962)

The following rule and regulation concerning the enforcement of the boating laws in the area on the Hartwell Reservoir between the Southern Railway crossing on the North and the Carolina Northwestern crossing on the South, lying west of the main campus of Clemson College as adopted September 6, 1962.

1. Water skiing is banned on the Hartwell Reservoir between the Southern Railway crossing on the North and the Carolina Northwestern crossing on the South, lying west of the main campus of Clemson College.

2. Signs will be posted in the area, stating, to wit: "No water skiing in this area by order of the South Carolina Wildlife Resources Department, Division of Boating."

3. Except as modified or changed hereby, all prevailing laws, rules and regulations shall remain in full force and effect over all waters lying within the area.

#### **DISPLAY OF DECALS ON BOATS**

(Filed in the office of the Secretary of State May 13, 1963)

The following rule and regulation concerning the requirement that a Decal be displayed on each side of the bow of a boat was adopted May 13, 1963.

1. The Decals issued by the South Carolina Wildlife Resources Department, Division of Boating, when a certificate of number is renewed must be attached to each side of the bow of the boat.

2. The licensees are to be furnished such instructions when their boats are re-registered.

3. A number in full force and effect must be displayed on each side of the bow of the boat. The Decals furnished on re-registration become a part of the original number issued to the registrant and without them being displayed the boat does not comply with Section 70-295.21, which requires a number in full force and effect to be displayed on the boat.

4. Except as modified or changed hereby, all prevailing laws, rules and regulations concerning boating in South Carolina, shall remain in full force and effect.

#### **DIVISION OF COMMERCIAL FISHERIES**

Promulgated under authority of Section 28-174 of the 1962 Code

(Filed in the office of the Secretary of State March 5, 1963)

##### **Operation of Crab Pots**

Every crab pot or float or buoy shall be marked with the license number issued by the Division.

No crab pot or trap shall be placed in any stream, creek or river within 100 yards of a public boat ramp or launching area.

No crab pot or trap shall be so set as to be left dry at low water.

No glass bottles, jugs or metal cans shall be used as floats or buoys for crab traps or pots.

Any crab trap or pot found in violation of these regulations shall be confiscated by the Division of Commercial Fisheries.

#### **DIVISION OF GAME**

Promulgated under authority of Section 28-334.2 of the 1962 Code

(Filed in the office of the Secretary of State March 28, 1963)

##### **Taking of Wild Turkeys in Game Zones 2 and 4**

The following regulations concerning the taking of wild turkeys in Game Zones 2 and 4 for the 1963 season on Game Management Areas are adopted.

1. Turkeys may be killed with shotgun or rifle in Union, Newberry and Laurens Counties April 10-13, inclusive; in McCormick and Edgefield Counties April 3-6 and April 10-13, all dates inclusive; in Chester County west of the Leeds Tower Road on the Broad River Game Management Area only, April 10-13, inclusive.

2. All hunters must secure a free permit at a designated check station located on the Management Area to be hunted.

3. The permit must be carried on the person of the hunter at all times while hunting.

4. All permits are to be returned to the check station by the hunters at the end of the hunt period or as soon as the hunter has finished hunting or has bagged the legal limit.

5. Bag limit: 1 gobbler during 1963. All gobblers must have visible beards.

6. All bagged game must be shown at check station.

7. Hunters must have landowner's permission to hunt on private land.

8. Vehicles or person may be searched for game during the hunt period.

9. No electronic callers will be permitted.

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